

 THE  
ESSENTIAL TORAH  
TEMIMAH



SHEMOTH

# THE ESSENTIAL TORAH TEMIMAH

In his introduction to the *Torah Temimah*, Harav Boruch Halevi Epstein writes:

“It has been our aim to show that this Torah, the Written Law, is a twin sister, as it were, to the Oral Law. They are inseparable — as body and soul, as flame and wick — the one, intimately enmeshed with the other. And so long as the Written Law is not conjoined with the explanations and addenda of the Oral Law, it is not a complete Torah. Its message is not complete and its mitzvah is not complete.”

That signal work — a telescoped synthesis of the Written and Oral Law — has become one of the most popular classics of Torah literature. Now, with the appearance of *The Essential Torah Temimah*, this vital resource has been rendered accessible to the English-reading public.

More than a verbatim translation, *The Essential Torah Temimah* is a thorough elucidation of the original text, using language that is fluent, literate and articulate. Biblical verses are translated in accordance with the Talmudic derivations, and the Talmudic sources are translated so as to reveal the derivations as implicit in the verse. Within the translation, Rabbi Silverstein incorporates the author's commentary and others', to provide maximum clarity.

This scholarly, erudite volume demonstrates Rabbi Silverstein's thorough mastery of his subject and his unique ability to transmit complex material in lucid, readily comprehensible fashion.

*About the Translator*

Rabbi Silverstein, an alumnus of the Mesivta Rabbi Chaim Berlin, was Phi Beta Kappa at Brooklyn College, from which he graduated at the head of his class, *summa cum laude*, with honors in English. In addition to his work as author and as translator of Torah classics (he is nearing completion of the monumental *Complete Ein Yaakov*) Rabbi Silverstein has taught at leading universities in the United States and in Israel. He has served as Principal of the Rambam Torah Institute in Los Angeles, the Magen David Yeshiva in Brooklyn, the Tonya Solo-veitchik-Yeshiva University High School for Girls in Manhattan, and the Torah Academy of Philadelphia. He has taught on all levels, lectured extensively on teaching methodology, and supervised teachers for the Israeli Ministry of Education. He resides with his family in Jerusalem.

*Also translated by Rabbi Shraga Silverstein*

The Path of the Just

The Gates of Repentance

The Knowing Heart

FELDHEIM PUBLISHERS, Ltd.

POB 6525 Jerusalem, Israel

PHILIPP FELDHEIM, Inc.

200 Airport Executive Park

Spring Valley, N.Y. 10977

*A complimentary copy of the new catalog of  
Feldheim Books is available on request.*

Printed in Israel

ISBN 0 87306 504 2

תורת ה' תמימה משיבת נפש

The Torah of Hashem is complete — it restores the soul.

תהילים יט: ח PSALMS 19:8



# THE ESSENTIAL TORAH TEMIMAH

by Harav Boruch Halevi Epstein

Translated and elucidated by  
SHRAGA SILVERSTEIN

---

**SHEMOTH**

---



FELDHEIM PUBLISHERS

*Jerusalem / New York*

First published 1989 • ISBN 0-87306-504-2

Copyright © by Shraga Silverstein

All rights reserved. No part of this publication may be translated, reproduced, stored in a retrieval system or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior permission in writing from the publishers.

Philipp Feldheim Inc.  
200 Airport Executive Park  
Spring Valley, NY 10977

Feldheim Publishers Ltd.  
POB 6525  
Jerusalem, Israel

Printed in Israel

## **Shemoth**

1:6 And Joseph died, and all of his brothers, and all of that generation.

**Joseph and all of his brothers** - R. Chamma b. R. Chanina said: Why did Joseph die before his brothers? Because he deported himself in an authoritative manner (*Berachoth* 55a).<sup>1</sup>

1:8 And there arose a new king over Egypt, who did not know Joseph.

**And there arose a new king** - Rav and Shmuel differ on this, one understanding "new" literally, and the other as referring to a renewal of his decrees. The source of the first is the word "new" itself; that of the second is the fact that it is not written: "And he [the first king] died, and there arose ... " (*Sotah* 11a).<sup>2</sup>

**who did not know Joseph** - He acted as if he did not know him at all (*Ibid.*).<sup>3</sup>

1:9 And he said to his people: Behold, the people of the children of Israel are many and mightier than we.

**And he said to his people** - It was taught: He initiated the counsel [against the Jews], as it is written: "And he said to his people ... Let us deal wisely with him"; accordingly, he was smitten first, as it is written (7:29): "And on you and on your people ... shall the frogs come up" (*Ibid.*).<sup>4</sup>

1:10 Let us deal wisely with him lest he multiply; and it shall be, when war breaks out, that he, too, will join our

enemies, and he will fight against us, and he will go up from the land.

**Let us deal wisely with him** - Should it not be written: "with *them*" ? R. Chamma b. R. Chanina said: [The meaning is] Let us deal wisely with the Savior of the Jews. With what shall we scourge them? If with fire, it is written (*Isaiah* 66:15): "For, behold, the L-rd will come with fire." If with the sword, it is written (*Ibid.* 16): "and with His sword upon all flesh." Let us, then, scourge them with water [i.e., by throwing them into the Nile], for the Holy One Blessed be He has already sworn that He will never again bring a flood upon the world. [He will, therefore, not avenge the drowning of His people by bringing a deluge upon us.] What they failed to realize is that it was upon the entire world that He would not bring a flood, but He *would* bring one upon a particular nation [and drown them in the Red Sea]. Or [what they failed to realize was that] He Himself would not bring it but they would come and fall into it, as it is written (14:27): "and Egypt fled towards it" (*Ibid.*)<sup>5</sup>

**and he will go up from the land** - Should it not be written: "and *we* will go up"? R. Chamma b. R. Chanina said. This is analogous to one's cursing himself and "hanging" his curse upon his neighbor (*Ibid.*)<sup>6</sup>

1.11 And they placed upon him taskmasters to afflict him with their sore labors. And they built treasure cities for Pharaoh - Pithom and Ra'amases.

**And they placed upon him** - Should it not be written: "upon *them*" ? It was taught in the school of R. Elazar b. R. Shimon: This teaches us that they brought a brick-mould and suspended it from Pharaoh's neck; if any Jew would say: "I am too delicate for this labor." they would say to him: "Are you any more delicate than Pharaoh?" (*Ibid.*)<sup>7,8</sup>

**taskmasters [sarei missim]** - "instruments of making" [i.e., The brick-mould tied around Pharaoh's neck was an instrument which made the Jews labor sorely (see above)] (*Ibid.*)<sup>9</sup>

**to afflict him with their sore labors** - Should it not be written: "to afflict *them*"? The meaning is [in keeping with the above]: to afflict Pharaoh to the end that the Jews labor sorely (*Ibid.*)<sup>10,11</sup>

And they built treasure cities [arei miskenoth] - Rav and Shmuel differ on this, one saying [the meaning is that] they endanger [mesaknoth] their lords; the other, that they impoverish [memaskenoth] their lords. As the master said: All who engage in building become impoverished (*Ibid.*).<sup>12</sup>

Pithom and Ra'amses - Rav and Shmuel differ on this. One says that its real name was Pithom. Why was it also called Ra'amses? For whatever they built would crumble ["mitroses"] (after which they would have to start all over again). The other says that its real name was Ra'amses. Why was it also called Pithom? For the mouth of the deep ["pi tehom"] swallowed up its builders one by one (*Ibid.*).<sup>13,14</sup>

1:12 And as they will afflict him, so will he multiply and so will he spread; and they despaired before the children of Israel.

so will he multiply, etc. - Should it not be written: "so *did* they multiply, and so *did* they spread"? Resh Lakish said: The Holy Spirit was apprising them [i.e., the Egyptians]: "so *will* he multiply, and so *will* he spread" (*Ibid.*).<sup>15</sup>

and they despaired [vayakutzu] - They [the Jews] were as thorns [kotzim] in the eyes of the Egyptians (*Ibid.*).<sup>16</sup>

1:13 And the Egyptians enslaved the children of Israel *befarech*.

befarech - R. Elazar says: "*befarech*" = "*befeh rach*" ["with soft speech" (i.e., with subtle intrigue)]. R. Shmuel b. Nachamani says: "*bifrichah*" [with grueling labor] (*Ibid.*).<sup>17</sup>

1:14 And they embittered their lives with hard toil: with mortar, and with brick, and with all the labor of the field; all of the labor with which they worked them was *befarech*.

**And they embittered their lives** - R. Chiyya taught in the name of R. Hoshiya: [Why do we eat *chazereth* (a kind of lettuce) on Pesach? To teach that] just as *chazereth* is sweet in the beginning, but bitter at the end, so did the Egyptians deport themselves vis à vis our ancestors in Egypt. In the beginning Pharaoh said to Joseph (*Genesis* 47:6): "In the best of the land settle your father and your brothers"; and, in the end: "And they embittered their lives with hard toil: with mortar and with brick" (*Yerushalmi Pesachim* 2:5).<sup>18,19</sup>

**with mortar and with brick, etc.** - Rava said: In the beginning, with mortar and with brick; and, in the end, with all the labor of the field (*Sotah* 11b).<sup>20</sup>

**befarech** - R. Shmuel b. Nachmani said in the name of R. Yonathan: They would give the work of men to women, and that of women to men (*Ibid.*).<sup>21</sup>

1:15 And the king of Egypt said to the Hebrew midwives, the first of whom was named Shifrah; and the second, Puah:

**to the Hebrew midwives** - Rav and Shmuel differ on this, one saying that it was a woman and her daughter, Yocheved and Miriam; and the other, a daughter-in-law and her mother-in-law, Yocheved and Elisheva (*Ibid.*).<sup>22</sup>

**Shifrah, Puah** - It was taught: Shifrah is Yocheved. Why is she also called Shifrah? Because she "beautifies" [*meshapereth*] the child. Puah is Miriam. Why is she also called Puah? Because she "coos" [*poeh*] to the child. Another interpretation: "*Shifrah*" — Israel was fruitful [*paru*] and multiplied in her days; "*Puah*" — she "cood" with the Holy Spirit, saying: "My mother is destined to bear a son who will be the savior of the Jews" (*Ibid.*).<sup>23,24</sup>

1:16 And he said: When you deliver the Hebrew women, and you see upon the stones — if it is a male, then you shall kill him; and if a female, then she shall live.

**upon the stones** - What are "the stones"? R. Chanan said: He gave them a unique sign, viz.: when a woman is ready to give birth, her thighs

become as cold as stone. Others say: What is the intent of: “stones”? As it is written (*Jeremiah* 18:3): “And I went down to the forger’s house, and, behold, he was doing work upon the stones.” Just as with a forger — a thigh on one side, and a thigh on the other side, and an anvil in the middle, so a woman [in child-birth] — a thigh on one side, and a thigh on the other side, and a child in the middle (*Ibid.*).<sup>25</sup>

if it is a **male**, etc. - R. Chanina said: He gave them a unique sign: a male — face downwards; a female — face upwards (*Ibid.*).<sup>26</sup>

1:17 And the midwives feared G-d, and they did not do as the king of Egypt spoke to them; and they kept the males alive.

as the king of Egypt spoke to them [aleihen] - Should it not be written “*lahen*” [a different form of “to them”]. R. Yossi b. R. Chanina said: This [i.e., the connotation of this particular form] teaches us that he solicited them to live with him and they did not consent (*Ibid.*).<sup>27</sup>

and they kept alive - It was taught: Not only did they not kill them, but they even provided food and water for them (*Ibid.*).<sup>28</sup>

1:19 And the midwives said to Pharaoh that not like the Egyptian women were the Hebrew women, that they were *chayoth*; before the midwife comes to them, they have already given birth.

that they were *chayoth* - What is signified by “*chayoth*”? If “*chayoth*,” literally, [(in this context) “midwives”], does one midwife not require another one to deliver her? They said to him [i.e., to the questioner]: This nation is compared to animals [which require no assistance to give birth], viz. (*Genesis* 49): “Judah is a lion’s whelp”; Dan — “Dan shall be a serpent by the way,” “Naftali is a hind let loose,” “Yissachar is a bony ass,” (*Deuteronomy* 33:17): Joseph — “the first of his oxen,” (*Genesis* 49): “Benjamin is a wolf of prey.” Wherever it is written, it is written; and where it is not written, it is subsumed in (*Ezekiel* 19:2): “What a lioness was your [Israel’s] mother; she lay down among lions!” (*Ibid.*).<sup>29</sup>

1:21 And it was, because the midwives feared G-d, that He made for them houses.

**He made for them houses** - Rav and Shmuel differ on this, one saying: the houses of the priesthood and the Levites, Aaron and Moses; the other: houses of royalty; for King David also descended from Miriam (*Ibid.*).<sup>30</sup>

1:22 And Pharaoh commanded his entire people, saying: Every son that is born, into the Nile shall you throw him; and every daughter shall you let live.

**his entire people** - R. Yossi b. R. Chanina said: He imposed the decree even upon his own people [R. Yossi here being consistent with his view, viz.:] Pharaoh issued three [successive] decrees: First: If it were a male, it was to be killed; then, it was to be thrown into the Nile; finally, his own nation was included in the decree (*Ibid.* 12a).<sup>31</sup>

**into the Nile shall you throw him** - The astrologers of Pharaoh saw that the savior of Israel would be smitten by water; accordingly, it was decreed: "Every son that is born, into the Nile shall you throw him." After Moses had been thrown in, they said: "We no longer see that sign," and the decree was nullified. What they failed to realize is that it was at *mei Merivah* ("the waters of contention" [see *Numbers* 20]) that he was smitten (*Ibid.* b).<sup>32</sup>

2:1 And there went a man from the house of Levi and he took the daughter of Levi.

**And there went a man** - Where did he go? R. Yehudah b. Zevina said: He "went" according to the counsel of his daughter. It was taught: Amram was the greatest man of his generation. When Pharaoh issued the decree: "Every son that is born, into the Nile shall you throw him," he said: "We are laboring in vain," whereupon he arose and divorced his wife. Following his example, all the Jews divorced their wives. Thereupon, his daughter said to him: "Father, your decree is harsher than Pharaoh's. Pharaoh issued a decree only against the males, whereas your decree is against the males and the females. Pharaoh's

decree cut off life only in this world, whereas yours cuts it off both in this world and the next. Pharaoh, being wicked, it is doubtful whether or not his decree will be fulfilled; but you, being righteous, your decree will certainly be fulfilled." Upon hearing this, he arose and took back his wife — whereupon all the Jews arose and took back their wives (*Ibid.*).<sup>1-4</sup>

**and he took** - Should it not be written: "and he took back"? [see above] R. Yehudah b. Zevina said: He performed an act of "taking." He set her in a bridal litter, Aaron and Miriam danced before her, and the ministering angels sang (*Psalms* 113:9): "The mother of sons rejoices — Hallelukah!" (*Ibid.* 12a).<sup>5</sup>

**the daughter of Levi** - Is it possible that she was a hundred and thirty years old and still called "daughter" [as if she were not old enough to be called by her own name]? For R. Chamma b. Chanina said: This is Yocheved, who was conceived upon the way [to Egypt] and born within the walls, as it is written (*Numbers* 26:59): "who was born to Levi in Egypt" — Her *birth* was in Egypt, but her conception was not in Egypt. R. Yehudah b. Zevina said: Signs of maidenhood were "born" in her [Her flesh returned to its youth, its wrinkles were smoothed out, and her beauty returned as of yore (for which reason she is referred to as the daughter of Levi, as one who is not yet old enough to have her own identity)] (*Ibid.*).<sup>6,7</sup>

2:2 And the woman conceived and she bore a son. And she saw him, for he was good; and she hid him for three months.

**And the woman conceived and she bore** - But had she not conceived three months previously [See commentary (11)]? R. Yehudah b. Zevina said: Her bearing is being likened to her conceiving; just as her conceiving was without pain, so, her bearing. From here it is derived that the righteous women were not in the decree pronounced upon Eve [i.e., (*Genesis* 3:16): "In pain shall you bring forth children"] (*Ibid.*).<sup>8,9</sup>

**for he was good** - It was taught: R. Meir says: His name was Tov ["good"]. R. Yehudah says: His name was Toviah. R. Nechemiah says: He was suited for prophecy. Others say: He was born circumcised. The

sages say: The entire house was filled with light when he was born. It is written here: "And she saw him, for he was good," and, elsewhere (*Genesis* 1:4): "And G-d saw the light, that it was good" (*Ibid.*).<sup>10</sup>

**and she hid him for three months** - For the Egyptians did not start counting [days of pregnancy] until the time that Amram took her back; but she had already conceived three months before [which explains how she was able to hide him for three months (the Egyptians not expecting her to give birth before nine months after her return to Amram)] (*Ibid.*).<sup>11</sup>

2:3 And she could not hide him anymore, and she took for him a basket of reeds, and she smeared it with clay and with pitch, and she put the boy in it, and she placed it in the rushes on the bank of the Nile.

**And she could not hide him anymore** - Why not? Let her continue hiding him! [She could not do so, for] whenever the Egyptians heard that a child had been born, they brought another child there, so that [the hidden child] would hear [his cries] and they would cry together, as it is written (*Song of Songs* 2:15): "We have been taken by the foxes, the little foxes" (*Ibid.*).<sup>12</sup>

**a basket of reeds** - Why "reeds" [a relatively inferior material]? R. Elazar said: From here it is derived that the righteous value their money more than their lives [or, in this case, more than the lives of their children]. And why so? For they do not stretch forth their hands to steal. R. Shmuel b. Nachmani said: Because reed is pliable and can withstand both soft and hard objects (*Ibid.*).<sup>13,14</sup>

**with clay and with pitch** - It was taught: Clay on the inside and pitch on the outside, so that that righteous one would not smell a foul odor (*Ibid.*).<sup>15</sup>

**and she placed it in the rushes [basuf]** - R. Elazar says: The Sea of Suf [i.e., the Red Sea]; R. Shmuel b. Nachmani said: A swamp, as it is written (*Isaiah* 19:6); "The reeds and rushes [*suf*] shall wither" (*Ibid.*).<sup>16,17</sup>

2:4 And his sister stood from afar to know what would be done with him.

And his sister stood - "As one measures, so is it measured unto him." Miriam waited for her brothers; for this reason, the Jews waited for her in the desert, as it is written (*Numbers* 11:15): "And the people did not journey until Miriam had been taken back." And "The good measure [i.e., that of reward for the first measure] is greater," for *she* waited but a short time, whereas the *Jews* waited seven days for her (*Sotah* 9b,11a).<sup>18</sup>

And his sister stood, etc. - R. Yitzchak said: This entire verse is alluding to the *Shechinah* [the Divine Presence]: "And she stood" — (*I Samuel* 3:1): "And the L-rd came, and He stood"; "his sister" — (*Proverbs* 7:3): "Say of wisdom: 'You are my sister'"; "from afar" — (*Jeremiah* 31:2): "From afar the L-rd appeared to me"; "to know" — (*I Samuel* 2:3): "for the L-rd is a G-d of knowledge"; "what" — (*Deuteronomy* 10:12): "What does the L-rd your G-d ask of you?"; "would be done" — (*Amos* 3:7): "for the L-rd G-d will do nothing, etc."; "him" — (*Judges* 6:24): "And he called him 'The L-rd Shalom'" (*Ibid.*).<sup>19-22</sup>

to know what would be done with him - Miriam was a prophetess, and she prophesied, saying: "My mother is destined to bear a son who will be the savior of Israel." When Moses was born, the entire house was filled with light, whereupon her father said to her: "My daughter, your prophecy has been fulfilled." And when Moses was thrown into the Nile, he said to her: "My daughter, what has become of your prophecy?" This is the intent of: "And his sister stood from afar to know what would be done with him" — to know how her prophecy would materialize (*Ibid.* 13a).<sup>23</sup>

2:5 And the daughter of Pharaoh went down to bathe in the Nile, and her maidens went along the Nile. And she saw the basket in the midst of the rushes, and she sent forth *amathah* and she took it.

to bathe in the Nile - R. Yochanan said in the name of R. Shimon b. Yochai; This teaches us that she went to cleanse herself of the impurities

of her father's household, as it is written (*Isaiah* 4:4): "when the L-rd shall wash away the dung [i.e., idolatry] of the daughters of Zion" (*Ibid.* 12b).<sup>24</sup>

**and her maidens went** - R. Yochanan said: This "went" refers to death, as it is written (*Genesis* 23:32): "Behold, I am *going* to die." When they saw that she wished to save Moses, they said to her: "Our mistress, it is the way of the world that if a king of flesh and blood decrees something, even if no one fulfills his decree, at least his children and the members of his household do so; but you are flouting the decree of your father!" Upon this, Gabriel came and dashed them to the ground (*Ibid.*).<sup>25</sup>

**and she sent forth amathah** - R. Yehudah and R. Nechemiah differ on this, one saying that it ["*amathah*"] signifies her hand; and the other, her maid-servant. Now according to the view that it signifies her maid-servant, did we not say that Gabriel came and dashed them to the ground [see above]? He left her one maid-servant, it being unbecoming for a king's daughter to stand unattended. And according to the view that it signifies her hand, why is "her hand" not stated? To teach that her hand [miraculously] elongated itself [until it reached the basket, the word "*amah*" also being a hand-measure] (*Ibid.*).<sup>26,27</sup>

2:6 And she opened it, and she saw him the child, and, behold, the youth was crying. And she pitied it, and she said: Of the Hebrew children is this one.

**and she saw him the child** - Should it not be written: "And she saw" [the child]? R. Yossi b. Chanina said: She saw [Him,] the Shechinah, with him (*Ibid.*).<sup>28</sup>

**the youth was crying** - He is called a "child," and then a "youth"! This teaches us that his mother made a "youth's wedding canopy" for him in the basket, saying: "Perhaps I shall not merit seeing his wedding" (*Ibid.*).<sup>29</sup>

**Of the Hebrew children is this one** - How did she know? R. Yossi b. R. Chanina said: She saw him circumcised (*Ibid.*).<sup>30</sup>

**Of the Hebrew children is this one** - [What is the intent of "this one"?] R. Yochanan said: She prophesied without knowing it, viz.: "This one

fell [i.e., was thrown into the Nile], but another will not fall" [for the decree was abolished on that day (See 1:22, commentary 32)] (*Ibid.*).<sup>31</sup>

2:7 And his sister said to Pharaoh's daughter: Shall I go and call for you a nursing woman from the Hebrew women, and she will nurse the child for you?

**a nursing woman from the Hebrew women** - Why "from the Hebrew women"? This teaches us that she passed him among all the Egyptian women to be nursed, and he refused to nurse, the Holy One Blessed be He, saying: "The mouth that is destined to speak with the *Shechinah* — shall it nurse [i.e., imbibe] an unclean thing!" And this is the intent of (*Isaiah* 28:9): "Whom will He teach knowledge, and whom will He cause to understand revelation! The weaned from milk; the drawn from the breasts" (*Ibid.*).<sup>32</sup>

2:8 And Pharaoh's daughter said to her: Go! And the maiden went, and she called the mother of the child.

**and the maiden [ha'almah] went** - R. Elazar said: "the maiden" — This teaches us that she went with alacrity, as a maiden; R. Shmuel b. Nachmani said: She concealed [*he'elimah*] her intention [of taking the child to its mother] (*Ibid.*).<sup>33</sup>

2:9 And Pharaoh's daughter said to her: Take this child and nurse him for me, and I shall give you your hire. And the woman took the child and she nursed him.

**Take [helichi] this child** - R. Chamma b. R. Chanina said: She prophesied without knowing it, viz.: "*helichi*" — "*ha shelichi*" [i.e., "take what is yours"] (*Ibid.*).<sup>34</sup>

**and I shall give you your hire** - R. Chamma b. R. Chanina said: Not only are the losses of the righteous restored to them, but they are even granted a reward! (*Ibid.*).<sup>35</sup>

2:12 And he turned here and there, and he saw that there was

no man; and he smote the Egyptian, and he buried him in the sand.

**and he smote the Egyptian** - R. Chanina said: An Egyptian that strikes a Jew incurs the death penalty, as it is written: "And he turned here and there, and he saw that there was no man; and he smote the Egyptian" (*Sanhedrin* 58b).<sup>36</sup>

2:13 And he went out on the second day, and, behold, two Hebrew men were fighting; and he said to the wicked one: Why will you strike your neighbor!

**two Hebrew men were fighting** - R. Yochanan said in the name of R. Shimon b. Yochai: Wherever "*nitzim*" ["fighting"] and "*nitzavim*" ["standing" (against)] are mentioned, Dathan and Aviram are being referred to (*Nedarim* 64b).<sup>37</sup>

**and he said to the wicked one, etc.** - Resh Lakish said: One who raises his hand against his neighbor, though he does not strike him, is called "wicked," as it is written: "and he said to the wicked one: Why will you strike your neighbor!" It is not written: "Why *did* you strike," but: "Why *will* you strike." Though he had not struck him, he was called "wicked" (*Sanhedrin* 58b).<sup>38</sup>

2:15 And Pharaoh heard this thing, and he sought to kill Moses. And Moses fled from Pharaoh and he dwelt in the land of Midyan, and he sat by a well.

**And Moses fled** - Now is it possible for flesh and blood to escape the king! [What transpired, however, was that] when Pharaoh seized Moses, he condemned him to be beheaded, but the sword dulled [and sprang from] the neck of Moses. This is the intent of (*Song of Songs* 7:6): "Your neck is like a tower of ivory" — This is an allusion to the neck of Moses [in the above episode] (*Yerushalmi Berachoth* 9:1).<sup>39</sup>

2:18 And they came to Reouel their father, and he said: Why did you hasten to come today?

to Reouel their father - Now was Reouel his name? Was he not Chovav the son of Reouel? From here it is derived that young children call their grandfather "father" (*Sifrei, Beha'alothecha*).<sup>40,41</sup>

2:20 And he said to his daughters: And where is he? Why did you leave the man? Call him, and let him eat bread.

and let him eat bread - R. Yochanan said: Great is hospitality [lit., "a drink"], which draws the distant near. For R. Yochanan said: As a reward for: "Call him, and let him eat bread," his great grandchildren merited presiding in the chamber of hewn stone [the seat of the Sanhedrin] (*Sanhedrin* 104a).<sup>42</sup>

2:21 And Moses vowed to stay with the man, and he gave Tzipporah his daughter to Moses.

And Moses vowed [Vayael Moshe] - "*alah*" [as in "*vayael*"] is a term of swearing, as it is written (*Ezekiel* 17:13): "and he made him take an oath" [*alah*] (*Nedarim* 65a).<sup>43</sup>

And Moses vowed - If one vows: "By Mutha," this is a [valid] epithet for an oath. What is "By Mutha"? R. Chiyya taught: "By the vow that Moses vowed," as it is written: "Vayael Moshe" [and "*alah*" is a term of swearing] (*Yerushalmi Nedarim* 1:2).<sup>44</sup>

2:22 And she bore a son, and he called his name Gershom. For he said: I was a stranger [*ger*] in a foreign land.

Gershom - From here it is derived that the names Gershom and Gershon are distinct ones, with the consequent indications for the writing of writs of divorce (*Beth Yosef, Even Haezer* 129).<sup>45</sup>

2:23 And it was in those many days that the king of Egypt died. And the children of Israel groaned under the bondage and they screamed; and their cries ascended to G-d from the bondage.

And it was, etc. - It was taught: Because of five things, the Jews were redeemed from Egypt: Because of the "end" [of the time decreed for them], as it is written: "And it was in those many days"; because of affliction, as it is written: "and they screamed"; because of their cries, as it is written: "And G-d heard their cries"; because of the merit of their fathers, as it is written: "and G-d remembered His covenant"; because of repentance, as it is written: "And G-d saw ... and G-d knew" [that they had repented] (*Yerushalmi Ta'anith* 1:1).<sup>46</sup>

3:4 And the L-rd saw that he had turned aside to see. And G—d called to him from the midst of the bush, and He said: Moses, Moses. And he said: Here I am.

**Moses, Moses** - an expression of affection and of prompting to zeal (*Torath Cohanim, Vayikra*).<sup>1</sup>

3:5 And He said: Do not come near here. Remove your shoes from your feet, for the place that you are standing upon is holy ground.

**Do not come near here** - Ulla said: Moses sought kingship, but it was not vouchsafed him, as it is written: "Do not come near here [*halom*]," and "*halom*" is a term of kingship, as it is written (II *Samuel* 7:18): "Who am I [David] ... and what is my house that You have brought me until here [*halom*]?" (*Zevachim* 102a).<sup>2</sup>

**Remove your shoes** - From here it is derived that it is forbidden to spit in the Temple mount, *a fortiori* from the prohibition of shoes, viz.: Now if in respect to the wearing of shoes, which is not a demeaning act, Scripture writes: "Remove your shoes from your feet," spitting, which is a demeaning act, how much more so [should it be forbidden]! (*Berachoth* 62b).<sup>3</sup>

3:6 And He said: I am the G-d of your father, the G-d of Abraham, the G-d of Isaac, and the G-d of Jacob. And Moses covered his face, for he was afraid of looking at G-d.

the G-d of Abraham, etc. - I might think that he who comes before is greater than his neighbor; it is, therefore, written (*Leviticus* 26:42): "And I will remember My covenant with Jacob, and My covenant with Isaac, and My covenant with Abraham" — to teach that the three of them were equal (*Mechilta, Bo* 3).<sup>4</sup>

And Moses covered his face, etc. - R. Shmuel b. Nachmani said in the name of R. Yochanan: As a reward for three, he merited three: As a reward for: "And Moses covered his face," he merited a refulgent visage (34:29); as a reward for: "for he was afraid," he merited (34:30): "And they were afraid to come near him"; as a reward for "of looking," he merited (*Numbers* 12:8): "And the limning of the L-rd shall he behold" (*Berachoth* 7a).<sup>5,6</sup>

3:8 And I went down to save it from the hand of Egypt, and to bring it up from that land to a good and broad land, to a land flowing milk and honey, to the place of the Canaanite, the Hittite, the Emorite, the Perizite, the Chivite, and the Jebusite.

a land flowing milk and honey - This teaches us that milk is not forbidden because of *ever min hachai* [a derivative of a living animal]; for if it were, Scripture would not extol [Eretz Yisrael] with something which did not become it (*Bechoroth* 6b).<sup>7</sup>

flowing milk and honey - R. Chisda said: That which is written (*Jeremiah* 3:19): "And I have given you a land to long for, the inheritance of the hind" — Why is Eretz Yisrael compared to a hind? To teach that just as a hind is the lightest of all the animals, so is Eretz Yisrael the lightest [i.e., the quickest] of all the lands to ripen its fruit. [But in that case,] I might say: Just as a hind is light, and its flesh not fat, so Eretz Yisrael is light to ripen [its fruit], but its fruit is not fat! It is, therefore, written: "flowing milk and honey" — [Its fruit is] fatter than milk and sweeter than honey (*Kethuvoth* 112a).<sup>8-10</sup>

3:14 And G-d said to Moses: I shall be that I shall be. And He said: Thus shall you say to the children of Israel: I shall be has sent me to you.

I shall be that I shall be - [What is the intent of: "I shall be that I shall be"?] The Holy One Blessed be He said to Moses: "Go and tell Israel that I was with you in this bondage and I shall be with you in the bondage of the kingdoms." Moses responded: "L-rd of the Universe: 'Sufficient the trouble unto its time!'" And He answered: "Go and tell them that 'I shall be' has sent me to you" (*Berachoth* 9b).<sup>11,12</sup>

3:15 And G-d said further to Moses: Thus shall you say to the children of Israel: The L-rd, the G-d of your fathers, the G-d of Abraham, the G-d of Isaac, and the G-d of Jacob, has sent me to you. This is My name forever, and this is My remembrance throughout the generations.

the G-d of your fathers, etc. - Whence is it derived that we say [in the *Amidah*]: "our G-d and the G-d of our fathers, the G-d of Abraham, the G-d of Isaac, and the G-d of Jacob"? From: "The L-rd, the G-d of your fathers, the G-d of Abraham, the G-d of Isaac and the G-d of Jacob, has sent me to you" (*Mechilta, Bo* 16).<sup>13</sup>

This is My name forever - R. Yochanan said: The four-letter name of G-d [the tetragrammaton] is imparted by the sages to their disciples once a week; others say: twice a week. R. Nachman b. Yitzchak said: Apparently, once a week is the correct view, it being written: "This is My name forever [*leolam*], which is spelled "*le-alem*" [i.e., "to conceal"]. Rava desired to expound it [the tetragrammaton] in his lecture, whereupon a certain elder cautioned him: "But it is spelled '*le'alem*'" (*Kiddushin* 71a).<sup>14-16</sup>

This is My name forever - When the high priest uttered the Name on Yom Kippur, the hearers did not depart from there until they had forgotten it. [Why so?] For it is written: "This is My name *leolam*," the spelling being "*le'alem*" [see above] (*Yerushalmi Yoma* 3:7).<sup>17</sup>

This is My Name ... and this is My remembrance - R. Avina asked: It is written: "This is My name," and: "This is My remembrance." [How is this to be reconciled?] The Holy One Blessed be He said: Not as I am written [i.e., not as My name is written] am I pronounced. I am written with "*yod*"-"*heh*," but I am pronounced with "*aleph-daleth*" (*Kiddushin* 71a).<sup>18</sup>

3:16 Go and assemble the elders of Israel and say to them: The L-rd, the G-d of your fathers appeared to me; the G-d of Abraham, Isaac, and Jacob, saying: I have surely remembered you and what has been done to you in Egypt.

**the elders of Israel** - R. Chamma b. Chanina said: From the earliest days of our fathers, *yeshivah* [lit., "sitting," i.e., learning] never ceased from them. They were in Egypt, and *yeshivah* was with them, it being written: "Go and assemble the elders of Israel" (*Yoma* 28b).<sup>19</sup>

**the elders of Israel** - From here it is derived that the Holy One Blessed be He accords honor to the elders (*Sifrei, Beha'alothecha* 92).<sup>20</sup>

4:1 And Moses answered and he said: But they will not believe me, and they will not hearken to my voice; for they will say: The L-rd did not appear to you.

**they will not believe me** - Resh Lakish said: One who suspects the innocent is afflicted in his body, as it is written: "And Moses answered and he said: But they will not believe me" — and he was smitten, as it is written (6): "and, behold, his hand was as leprous as snow" (*Shabbath* 97a).<sup>1</sup>

4:7 And He said: Return your hand to your bosom. And he returned his hand to his bosom: and he took it from his bosom, and, behold, it had resumed its fleshy appearance.

**and he took it from his bosom, etc.** - Rava said: G-d's goodly measure is more expeditious than His punitive one. For in respect to the punitive measure, it is written (6): "and he took it out, and, behold, his hand was as leprous as snow" [only after it had been taken out]; whereas in respect to the goodly measure, it is written: "and he took it *from his bosom*, and, behold, it had resumed its fleshy appearance" — from [the time of contact with] his bosom, it had resumed its fleshy appearance (*Ibid.* 97a).<sup>2,3</sup>

4:8 And it shall be, if they do not believe you, and they do not

hearken to the message of the first sign, then they will believe the message of the last sign.

**the last sign** - From here we see that it is common for Scripture to refer to the middle as "the last." For after the second sign, which is referred to as "the last," there followed a third sign (*Tosefot Yom Tov, Demai* 7:3).<sup>4</sup>

4:11 And the L-rd said to him: Who has placed a mouth in man? Or who makes him mute or deaf or seeing or blind? Is it not I, the L-rd?

**Who has placed a mouth in man, etc.** - R. Yehoshua b. Levi said: When Moses fled before Pharaoh, all of his [Pharaoh's] people were stricken. Some became mute; others, deaf; others, blind. He asked the mute ones: "Where is Moses?" but they could not answer; the deaf ones, but they could not hear; the blind ones, but they could not see. This is what the Holy One Blessed be He was alluding to when he said to Moses: "Who has placed a mouth in man? Or who makes him mute or deaf or seeing or blind? *There* I stood up for you, and *here* I cannot stand up for you? (*Yerushalmi Berachot* 9:1).<sup>5</sup>

4:14 And the wrath of the L-rd burned against Moses, and He said: Is not Aaron your brother a Levite? I knew that he would surely speak. And, also, behold he comes out towards you; and when he sees you, he will rejoice in his heart.

**And the wrath of the L-rd burned** - R. Yehoshua b. Levi said: All "burning of wrath" in the Torah is accompanied by some result, except for this one. R. Shimon b. Yochai says: Here, too, a result follows. For it is written: "Is not Aaron your brother a Levite?" Now was he a Levite? Was he not a priest? The intent is, rather, "I had said that you are a priest, and he, a Levite; now [and this is the "result"], he is a priest, and you, a Levite" (*Zevachim* 102a).<sup>6,7</sup>

**and when he sees you, he will rejoice in his heart** - R. Melai said: As a reward for: "and when he sees you, he will rejoice in his heart," he

merited wearing the breast-plate of judgment over his heart (*Shabbath* 139a).<sup>8</sup>

- 4:18 And Moses went, and he returned to Yether, his father-in-law. And he said to him. Let me go, I pray you, and return to my brothers who are in Egypt, and see if they still live. And Jethro said to Moses: Go to peace.

Go to peace - R. Avin Halevi said: One who takes leave of his neighbor should not say to him: "Go *in* peace," but: "Go *to* peace." For Moses, who was told by Jethro: "Go *to* peace," had great success; whereas Absalom, who was told by David (II *Samuel* 15:9): "Go *in* peace," was hanged (*Berachoth* 63a).<sup>9</sup>

- 4:19 And the L-rd said to Moses in Midyan: Go, return to Egypt; for all the men who sought your life have died.

And the L-rd said to Moses, etc. - It was taught: One who vows not to derive benefit from his neighbor must have his vow nullified in the other's presence, as it is written: "And the L-rd said to Moses in Midyan: Go, return to Egypt." [Why "in Midyan"?] He said to him: "It is in Midyan that you made your vow [to remain with Jethro (see 2:21)]; have your vow nullified in Midyan" (*Nedarim* 65a).<sup>10</sup>

for ... have died - What is the intent of "have died"? If "have died," literally, had these ["Hebrew men" (see 2:13)] died? Did not R. Yochanan say in the name of R. Shimon b. Yochai: Wherever "*nitzim*" and "*nitzavim*" are mentioned, Dathan and Aviram are being referred to? [See commentary on 2:13 (and Dathan and Aviram figure prominently *after* the exodus)] What happened, rather, is that they lost their fortunes, and poverty is tantamount to death (*Ibid.* 64b).<sup>11</sup>

- 4:20 And Moses took his wife and his sons and he rode them on the ass, and he returned to the land of Egypt. And Moses took the rod of the L-rd in his hand.

and he rode them - It was taught in the school of R. Yishmael: Let one

always speak in clean language; for in respect to a male *zav* [one with a genital emission], Scripture refers to his riding as “*merkav*” [connoting straddling, with legs apart], whereas in respect to a female, Scripture refers to her riding as “*moshav*” [connoting “side-saddle,” with legs together]. But is it not written: “And Moses took his wife and his sons and he rode them [*vayarkiveim* (as in “*merkav*”!)] The term there is used for its appropriateness in respect to his sons (*Pesachim* 3b).<sup>12,13</sup>

on the ass - Once, King Ptolemy assembled seventy-two elders in seventy-two separate houses and said to each of them: “Transcribe for me [into Greek] the Torah of Moses your teacher.” The Holy One Blessed be He placed goodly counsel in the heart of each of them, and they all wrote as one: “And he rode them on a bearer of men” (*Megillah* 9a).<sup>14</sup>

4:22 And you shall say to Pharaoh: Thus said the L-rd: My first-born son is Israel.

My first-born son is Israel - [This teaches us that Israel is called “the first-born son” of the Holy One Blessed be He] (*Shabbath* 81b).<sup>15</sup>

4:24 And it was on the way, in the inn, that the L-rd met him and desired to kill him.

And it was on the way, in the inn - It was taught: Rebbi said: G-d forbid that Moses our teacher should be neglectful of circumcision [i.e., the circumcision of his son]. But he reasoned thus: If I circumcise him and wait three days — the Holy One Blessed be He has said to me: “Go, return to Egypt.” Why, then, was he punished? Because he busied himself with the inn first (*Nedarim* 32a).<sup>16</sup>

and he desired to kill him - R. Shimon b. Gamliel said: It is not Moses our teacher that Satan desired to kill, but the infant, as it is written (25): “For a groom of blood are you [the infant] to me” (*Ibid.*).<sup>17</sup>

4:25 And Tzipporah took a flint and cut off the foreskin of her son and touched it to his feet. And she said: For a groom of blood are you to me.

**And Tzipporah took a flint** - [This teaches us that a woman is permitted to circumcise] (*Avodah Zarah* 27a).<sup>18</sup>

**and touched it to his feet** - R. Yehudah, R. Nechemiah, and the Rabbis differ on this, one saying [that she touched it to] the feet of Moses, and said: "Go, your obligation has been 'cut off'"; another, [that she touched it to] the feet of the angel, and said: "Go, you have fulfilled your commission"; and another, [that she touched it to] the feet of the child, the body of the child [i.e., she circumcised him] (*Yerushalmi Nedarim* 3:9).<sup>19-21</sup>

**a groom of blood are you to me** - Some say: She called Moses a "groom," saying: "My groom [Moses] was threatened with blood [i.e., death] because of you [the child.]" Others say: She called the child a "groom," saying: "My groom [i.e., you, my child.] because of blood [i.e., the blood of circumcision that you have shed], you remain with me" (*Ibid.*).<sup>22,23</sup>

4:26 And he let go of him. Then she said: A groom of blood to circumcisions.

**And he let go of him** - R. Yehudah b. Bizna expounded: When Moses our teacher was neglectful of circumcision, Wrath and Fury came and swallowed him up, leaving only his legs [i.e., the site of circumcision] exposed; whereupon, immediately: "Tzipporah took a flint and cut off the foreskin of her son." At this, "he let go of him" (*Nedarim* 32a).<sup>24-26</sup>

**to circumcisions** - "to circumcisions": From here we derive that there are two "circumcisions"; one, circumcision proper; the other, *priah* [uncovering the corona] — one, circumcision proper; the other, [cutting of the threads of the membrum, which stand in the way of a valid circumcision] (*Yerushalmi Shabbath* 19:2).<sup>27,28</sup>

4:31 And the people believed, and they heard that the L-rd had remembered the children of Israel, and that He had seen their affliction. And they bowed and prostrated themselves.

**And the people believed** - From here it is derived that the Jews are believers (*Shabbath* 97a).<sup>29</sup>

5:1 And afterwards Moses and Aaron came and they said to Pharaoh: Thus has said the L-rd, the G-d of Israel: Send out My people, and let them sacrifice to Me in the desert.

and let them sacrifice [veyachogu] to Me in the desert - R. Pappa asked Abbaye: Whence is it derived that "veyachogu" refers to sacrifice? Perhaps it refers to dancing! He answered: It is derived: "desert" [here] - "desert" [in *Amos*]. It is written here: "*Veyachogu* to Me in the desert," and (*Amos* 5:25): "Sacrifices and meal-offering did you present to Me in the desert?" Just as there, sacrifices [are indicated]; here, too, sacrifices [are meant] (*Chagigah* 10b).<sup>1,2</sup>

5:2 And Pharaoh said: Who is the L-rd, that I should hearken to His voice to send out the Jews. I do not know the L-rd, and I shall also not send out the Jews.

**And Pharaoh said** - It was taught in the name of R. Yehoshua b. Karchah: Pharaoh, because he blasphemed the L-rd *himself* [and not through a messenger], as it is written: "Who is the L-rd, etc.", the L-rd *Himself* exacted punishment of him, as it is written (14:27): "And *the L-rd* [*Himself*, and not a messenger] shook out Egypt in the midst of the sea" (*Sanhedrin* 94b).<sup>3</sup>

**Who is the L-rd** - The Holy One Blessed be He said to Israel: "I desire you; for even when I confer greatness upon you, you belittle yourselves before Me. But the nations of the world are not like this. I conferred greatness upon Pharaoh, and he said: "Who is the L-rd?" (*Chullin* 89a).<sup>4,5</sup>

5:20 And they met Moses and Aaron standing opposite them when they came out from Pharaoh.

**standing [nitzavim] opposite them** - R. Yochanan said in the name of R. Shimon b. Yochai: Wherever *nitzim* and *nitzavim* are mentioned,

Dathan and Aviram are being referred to [See commentary on 2:13] (*Nedarim* 64b).<sup>6</sup>

6:1 And the L-rd said to Moses: Now you shall see what I shall do to Pharaoh. For with a strong hand shall he send them out, and with a strong hand shall he drive them out of his land.

Now you shall see - The Holy One Blessed be He said to Moses: "Woe for those who are gone, but not forgotten!" Many times did I reveal Myself to Abraham, Isaac, and Jacob, and they never asked Me: "What is Your name?" But, now, you say to Me (5:23): "But You did not rescue Your people!" "Now you shall see what I shall do to *Pharaoh*" — You shall witness the war with [and victory over] *Pharaoh*, but you shall not witness the war with the thirty-one kings [preceding the entry to Eretz Yisrael] (*Sanhedrin* 111a).<sup>1</sup>

## Vaeira

6:2 And G-d spoke to Moses, and He said to him: I am the L-rd.

And G-d spoke - R. Shmuel b. Nachmani said in the name of R. Yonathan: Wherever the term "*dibbur*" ["speaking"] is used, some Scriptural novellum is intended; and here, too, where it is written: "And G-d *spoke* to Moses" [our sages have adduced a homily (see *Medrash Rabbah*)] (*Yerushalmi Makkoth* 2:6).<sup>2,3</sup>

6:4 And I will also establish My covenant with them, to give them the land of Canaan, the land of their sojourning, in which they dwelt.

to give to them - It was taught: R. Sammai says: Where is the resurrection intimated in the Torah? In: "And I will also establish My covenant with them, to give to them the land of Canaan." It is not written: "to *you*" [the living], but "to *them*" [your ancestors]. Scripture herein intimates the resurrection (*Sanhedrin* 90b).<sup>4</sup>

6:6 Therefore, say to the children of Israel: I am the L-rd; and I will take you out from under the toil of Egypt, and I will rescue you from their bondage, and I will redeem you with an outstretched arm and with great judgments.

and I will take you out, etc. - Whence are derived "the four goblets" of Pesach? R. Yochanan said: They correspond to the four redemptions: "and I will take," "and I will rescue," "and I will redeem," "and I will take" (*Yerushalmi Pesachim* 10:1).<sup>5</sup>

from under the toil of Egypt - It was taught: On Rosh Hashanah, the servitude of our forefathers in Egypt was annulled. It is written here:

“and I will take you out from under the *toil* of Egypt, and, elsewhere [in respect to Rosh Hashanah] (*Psalms* 81:6): “Testimony in Yehosef He ordained, when He went out upon the land of Egypt ... I removed his shoulder from the *toil*” (*Rosh Hashanah* 11b).<sup>6</sup>

6:7 And I will take you to Me as a people, and I will be to you as a G-d; and you will know that I am the L-rd your G-d who took you out from under the toil of Egypt.

**And I will take you** - It was taught: R. Sammai says: It is written: “And I will take you,” and (8); “And I will bring you to the land.” Their going out of Egypt is being likened to their coming to the land. Just as only two [Joshua and Calev] of [the original] six hundred thousand [who left Egypt] entered the land; so, only two of [every] six hundred thousand left the land [the others being killed in the three days of darkness] (*Sanhedrin* 111a).<sup>7,8</sup>

**who took you out** [*hamotzi ethchem*] - “*hamotzi*” is always indicative of the past; and, in this instance, this is what the Holy One Blessed be He is saying to Israel: When I take you out, I will do that for you which will cause you to know for a certainty that it is *I* who took you out of Egypt, as it is written: “and you will know that I am the L-rd your G-d who took you out from under the toil of Egypt” (*Berachoth* 38a).<sup>9,10</sup>

6:8 And I will bring you to the land which I have lifted My hand to give to Abraham, to Isaac, and to Jacob; and I shall give it to you as an inheritance; I am the L-rd.

**to you as an inheritance** - See commentary on *Numbers* 26:55

6:13 And the L-rd spoke to Moses and to Aaron, and He commanded them to the children of Israel and to Pharaoh king of Egypt, to take the children of Israel out of the land of Egypt.

**And He commanded them to the children of Israel** - R. Shmuel b. R. Yitzchak said: In respect to what did He command them [i.e., the

children of Israel]? In respect to the sending away [i.e., the freeing] of Hebrew servants [in the seventh year]. This accords with the view of R. Hila, who says: Israel was punished only because of their failure to observe the injunction to free their servants, as it is written [in connection to the Exodus] (*Jeremiah* 34:14): "At the end of seven years, shall each man send out his brother, the Hebrew" (*Yerushalmi Rosh Hashanah* 3:5).<sup>11,12</sup>

6:20 And Amram took Yocheved, his aunt, to himself as a wife; and she bore him Aaron and Moses. And the years of Amram's life were one hundred and thirty-seven years.

Yocheved, his aunt - his paternal, but not his maternal aunt [for maternal aunts were forbidden to the sons of Noah] (*Sanhedrin* 58b).<sup>13</sup>

6:23 And Aaron took Elisheva the daughter of Aminadav, the sister of Nachshon to himself as a wife. And she bore him Nadav and Avihu, Elazar and Ithamar.

the daughter of Aminadav - R. Elazar said: One should always ally himself with good [families]. For Moses, who married the daughter of Jethro, there descended from him Yehonathan [who was a priest of idolatry]; whereas Aaron, who married the daughter of Aminadav, there descended from him Pinchas (*Bava Bathra* 109b).<sup>14,15</sup>

the sister of Nachshon - Does not "the daughter of Aminadav" tell me that she was the sister of Nachshon? Why need it be explicitly mentioned? To teach that when one marries a woman he should inquire after her brothers [their characters generally being similar] (*Bava Bathra* 110a).<sup>16</sup>

6:25 And Elazar the son of Aaron took for himself of the daughters of Puthiel to himself as a wife; and she bore him Pinchas. These are the heads of the fathers of the Levites according to their families.

of the daughters of Puthiel - Who is Puthiel? Joseph. Why was he

called “Puthiel”? Because he made light of [*pitpet*] his evil inclination [i.e., he banished it, in the episode of the wife of Potiphar] (*Ibid.* 109b).<sup>17</sup>

6:26 He is Aaron and Moses, to whom the L-rd said: Take the children of Israel out of the land of Egypt according to their hosts.

He is Aaron and Moses - They were steadfast in their righteousness from the beginning to the end (*Megillah* 11a).<sup>18</sup>

He is Aaron and Moses - Everywhere “Moses” precedes “Aaron,” except for one place, where it is written: “He is Aaron and Moses” — to teach that both were equal (*Tosefta*, end of *Krituth*).<sup>19</sup>

7:1 And the L-rd said to Moses: Behold, I have made you a lord over Pharaoh, and Aaron your brother shall be your interpreter.

and Aaron your brother shall be your interpreter - The lesser interprets for the greater, but it is unbecoming the greater to interpret for the lesser, as it is written: “And Aaron your brother shall be your interpreter” (*Tosefta Megillah* 3).<sup>1</sup>

7:11 And Pharaoh, too, called to the wise men and the necromancers; and the magicians of Egypt did likewise with their charms.

with their charms [*belahateihem*] - R. Chiyya b. Abba said “*belateihem*” (22) — this refers to acts of demons; “*belahateihem*” — this refers to acts of necromancy, as it is written (*Genesis* 3:24): “and the *lahat* of the [self-] revolving [(without the mediation of demons)] sword” (*Sanhedrin* 67b).<sup>2</sup>

7:12 And each one cast down his rod, and they became serpents; and the rod of Aaron swallowed up their rods.

**and the rod of Aaron swallowed up** - R. Elazar said: This was a miracle within a miracle [a *rod* (and not a serpent) *swallowing up*] (*Shabbath* 97a).<sup>3</sup>

7:15 Go to Pharaoh in the morning. Behold, he shall go out to the river. And you shall stand opposite him on the bank of the Nile; and the rod which was changed to a serpent shall you take in your hand.

**Behold, he shall go out to the river** - Avital Safra said in the name of Rav: The Pharaoh of the days of Moses was a sorcerer, as it is written: "Behold he shall go out to the river" [that being the focal point for the practice of the magic arts] (*Moed Katan* 18a).<sup>4</sup>

**And you shall stand opposite him** - [What is the intent of "opposite him"?] Resh Lakish said: He is wicked — defy him! R. Yochanan said: He is a king — receive him as such (*Zevachim* 102a).<sup>5</sup>

7:18 And the fish in the Nile shall perish, and the Nile shall grow foul; and Egypt will languish with drinking water from the Nile.

**And the fish [dagah]** - [From here it is derived that "*dagah*" connotes both big and small fish] notwithstanding which, in respect to *vows*, it is the language that people speak [i.e., the meanings which *they* attach to words] which is the criterion (*Nedarim* 51b).<sup>6,7</sup>

7:28 And the Nile shall swarm frogs. And they shall rise up and come into your house and into your bedchamber, and into your bed, and into your ovens and into your kneading troughs.

**and into your ovens and into your kneading troughs** - ["your ovens" is juxtaposed with "your kneading troughs" to indicate (that the above will transpire) even when the ovens are hot (though this defies nature)] For when are kneading troughs found near ovens? When the ovens are hot. (*Pesachim* 53a).<sup>8</sup>

8:2 And Aaron stretched forth his hand upon the waters of Egypt, and the frog rose up and covered the land of Egypt.

and the frog rose up - [What is the intent of: “and *the* frog rose up”?] R. Akiva says: There was one frog, which filled the entire land of Egypt. R. Elazar b. Azaryah said: There was one frog, which “whistled” to them [i.e., to all of the other frogs in the world], and they came (*Sanhedrin* 67b).<sup>1,2</sup>

8:15 And the magicians said to Pharaoh: It is the finger of G-d. And the heart of Pharaoh was hardened, and he did not hearken to them, as the L-rd had spoken.

It is the finger of G-d - R. Elazar said: From here it is derived that a demon cannot create creatures less than the size of a barley-corn. R. Pappa said: Nor can it even create those the size of a camel, but these [i.e., large creatures] gather to him [having mobile power], and the others do not gather to him (*Ibid.*).<sup>3,4</sup>

It is the finger of G-d - “*It*” — “*It*” is the finger which is destined to exact punishment from Sennacherib (*Ibid.* 95b).<sup>5</sup>

8:22 And Moses said: It is not right to do so; for the abomination [i.e., the god] of Egypt shall we sacrifice to the L-rd our G-d. Shall we sacrifice the abomination of Egypt before their eyes and they not stone us!

the abomination of Egypt - From here it is derived that though animals which have been worshipped are not forbidden for general consumption, still, they are called “gods” and they may not be eaten if slaughtered with idolatrous intent (*Chullin* 40a, see Rashi).<sup>6,7</sup>

9:10 And they took soot of the furnace, and they stood before Pharaoh, and Moses flung it to the heavens, and it became a pox of pustulating blisters in man and beast.

pustulating blisters - R. Yehoshua b. Levi said: The pox that the Holy

One Blessed be He brought upon the Egyptians was wet on the outside and dry on the inside, as it is written: "and it became a pox of pustulating blisters in man and beast" (*Bava Kamma* 80b).<sup>1</sup>

9:20 He who feared the word of the L-rd of the servants of Pharaoh drove his servants and his cattle into the houses.

He who feared the word of the L-rd - R. Yishmael taught: Job was one of Pharaoh's servants, and amongst the greatest of his court, it being written: "He *who feared* the word of the L-rd," and [in reference to Job] (*Job* 1:1): "a perfect, upright man, *who feared* G-d and turned away from evil" (*Yerushalmi Sotah* 5:6).<sup>2</sup>

9:29 And Moses said to him: When I go out of the city, I shall spread my hands to the L-rd; the thunder will cease, and the hail will be no more, so that you will know that the land is the L-rd's.

When I go out of the city - But within the city he did not pray. Why so? For it was full of idolatry (*Mechilta*).<sup>3</sup>

## Bo

10:14 And the locusts went up over the entire land of Egypt, and they rested in all the borders of Egypt, in a great mass. Before them there was no such locust-plague, nor will there ever after be its like.

And the locusts went up - Why did the Holy One Blessed be He bring a locust-plague upon them? Because they made the Jews sowers of grain and barley and all kinds of beans; therefore, He brought upon them a locust-plague, which destroyed all that the Jews had sown for them (*Tanna debei Eliyahu* 7).<sup>1</sup>

10:21 And the L-rd said to Moses: Stretch out your hand over the heavens, and there will be darkness over the land of Egypt, and groping in the dark.

and groping in the dark - Scripture tells us that when an Egyptian stood up, he could not sit down again, and that when he sat down, he could not stand up again; for he groped in pitch-blackness, as it is written: "and groping in the dark" (*Mechilta Beshalach* 4).<sup>2</sup>

10:25 And Moses said: You, too, will put into our hands sacrifices and burnt-offerings, which we will present to the L-rd our G-d.

sacrifices and burnt-offerings - sacrifices to be eaten, and burnt-offerings to be consumed [upon the altar] (*Zevachim* 116a).<sup>3</sup>

11:2 Speak, I pray you, in the ears of the people, that they ask — a man of his neighbor, and a woman of her neighbor — vessels of silver and vessels of gold.

**Speak, I pray you [na]** - It was taught in the school of R. Yannai: “*na*” is a term of imploration. The Holy One Blessed be He said to Moses: “I pray you, go and tell the Jews: I pray you, ask of the Egyptians vessels of silver and vessels of gold; so that that righteous one [Abraham] not say: “and they shall serve them, and they shall afflict them” (*Genesis* 15:13) He *did* fulfill, but: “and afterwards they shall go out with great wealth” (*Ibid.* 14) He did *not* fulfill!” (*Berachoth* 9b).<sup>1</sup>

**11:4 And Moses said: Thus has the L-rd spoken: As the middle of the night, I shall go out in the midst of Egypt.**

as the middle of the night - What is the intent of “as the middle of the night”? If [we are to assume] that the Holy One Blessed be He told him: “as the middle,” is there a doubt in the mind of G-d [as to where the mid-point is?] R. Ashi said: It was the middle of the night of the thirteenth [of Nissan] preceding the fourteenth [when they would be redeemed]; and this is what Moses told Israel: The Holy One Blessed be He has said that tomorrow, in the middle of the night, *as* it is now, I shall go out in the midst of Egypt (*Berachoth* 3b).<sup>2-4</sup>

**I shall go out in the midst of Egypt** - Since He did not say: “I shall come into the midst of Egypt,” we may deduce that “coming in” may be referred to as “going out” [This has certain halachic implications] (*Rokeach* 93).<sup>5</sup>

**11:7 And against all the children of Israel a dog shall not loose its tongue, from man until beast; so that you may know that the L-rd has discriminated between Egypt and Israel.**

**And against all the children of Israel, etc.** - The Rabbis taught: One who sees a dog in a dream should arise and say: “And against all the children of Israel a dog shall not loose its tongue” — before a different verse intrude itself upon him, viz. (*Isaiah* 56:11): “And the dogs are brazen” (*Berachoth* 56b).<sup>6</sup>

**a dog shall not loose its tongue** - Therefore, the Torah says in respect to *treifah* [a “torn” animal] (*Exodus* 22:30): “To the dog shall you throw it” — to teach that the Holy One Blessed be He does not withhold the

reward of any creature [as in this instance, the dogs are being “rewarded” for holding their tongues] (*Mechilta Mishpatim*).<sup>7</sup>

11:8 And all of these, your servants, shall come down to me, and they shall bow down to me, saying: Go out, you, and all the people who are with you; and then I shall go. And he left Pharaoh with burning wrath.

And all of these, your servants, will come down - R. Yannai said: Let the fear of the monarch always be upon you; for it is written; “And all of these *your servants* will come down to me” — He did not say: “*You*” will come down to me” [though he did come down!] (*Zevachim* 102a).<sup>8</sup>

with burning wrath - All “burning wrath” in the Torah is accompanied by some result, including this instance of: “And he left Pharaoh with burning wrath,” in accordance with [the view of] Resh Lakish, who says: He slapped him and he left! (*Ibid.*).<sup>9,10</sup>

12:1 And the L-rd spoke to Moses and to Aaron in the land of Egypt, saying:

And the L-rd spoke to Moses and to Aaron - I might think that the L-rd actually spoke to Aaron and to Moses; it is, therefore, written (6:9): “And it was in the day that the L-rd spoke to *Moses* in the land of Egypt” — the speaking was to Moses and not to Aaron. If so, what is the intent of: “and to Aaron”? To teach that just as Moses was crucial to G-d’s pronouncements, so was Aaron (*Mechilta*).<sup>1</sup>

in the land of Egypt - outside of the city. And why not within the city? Because it was full of idolatrous abominations (*Ibid.*).<sup>2</sup>

saying - [What is the intent of “saying”?] R. Yishmael said: Go, and say it to them immediately, as it is written (34:34): “And he went out [immediately], and he spoke to the children of Israel what he had been commanded” (*Ibid.*).<sup>3</sup>

12:2 This month is to you the beginning of months. It is the first to you for the months of the year.

**This month** - R. Shila says in the name of Rebbi: It is written (*Psalms* 104:19): "He made the month for seasons; the sun knows its rising" — "When the sun knows its rising" [i.e., with the rising of the sun after the appearance of the new moon], "He made the month for seasons" [i.e., from that point on, it is the New Moon]. R. Shimon b. Lakish says: "This month" — All [i.e., the entire day] must be included in the month [so that, again, the New Moon begins not with its actual appearance, but with the rising of the sun] (*Yerushalmi Rosh Hashanah* 2:8).<sup>4,5</sup>

**This month** - *This* one is Nissan, and another is not Nissan. [This teaches us that Nissan is not intercalated on Nissan (i.e., Once it has been declared Nissan, it cannot be intercalated as II Adar)] (*Berachoth* 10b).<sup>6</sup>

**This month** - Rabbah b. Shmuel taught: I might think that just as the year is intercalated [i.e., declared a leap year] for a specific need [i.e., so that the festivals should fall out in their appropriate seasons], so, the month may be sanctified [on a chosen day, irrespective of the position of the moon] for a particular need; it is, therefore, written: "*This* month is to you" — See *this* [the new moon] and sanctify it (*Rosh Hashanah* 20a).<sup>7</sup>

**This month** - R. Assi said in the name of R. Yochanan: All who pronounce the benediction over the new moon in its proper time, it is as if they were beholding the Divine Presence. It is written here: "*This* month," and, elsewhere (15:2): "*This* is my G-d, and I shall glorify Him" (*Sanhedrin* 42a).<sup>8</sup>

**This month** - It was taught in the school of R. Yishmael: The sanctification of the new moon posed difficulties to Moses, until the Holy One Blessed be He pointed it out "with His finger," as it is written: "*This* month" (*Menachoth* 29a).<sup>9</sup>

**to you** - [What is the intent of "to you"?] This testimony [as to the appearance of the new moon] is relegated to you. [From here we derive that the acceptance of witnesses to the new moon and the sanctification of the new moon is in the hands of *beth-din*] (*Rosh Hashanah* 22a).<sup>10</sup>

**to you** - A single individual may not consecrate the new moon, even if he be the established authority. For there was no greater established authority for Israel than Moses our teacher, and still, the Holy One

Blessed be He said to him: "Aaron must be with you," as it is written: "And the L-rd spoke to Moses and to Aaron ... This month is to you" (*Ibid.* 25b).<sup>11</sup>

**the beginning of months** - The beginning for the months, but not the beginning for the years, these being counted from Tishrei (*Yerushalmi Rosh Hashanah* 1:1).<sup>12</sup>

**the beginning of months** - This ["months"] tells me only of the minimum of "months," i.e., two. Whence do we derive [that it is the beginning] for all of the months? From: "for the months of the year" (*Mechilta*).<sup>13</sup>

**It is the first to you** - The first of Nissan is the new year for [marking the reign of] kings and for festivals. For it is written: "This month is to you ... It is the first to you." "to you" — "to you" constitutes "limitation upon limitation," and "there is no limitation upon limitation except for inclusion"; and the inclusion is for kings and for festivals (*Yerushalmi Rosh Hashanah* 1:1).<sup>14</sup>

**for the months of the year** - R. Abba b. Shmuel said: Whence is it derived that we do not reckon the year by [the number of] days? From: "It is the first to you for the months of the year." The year is reckoned by *months*, and not by days (*Megillah* 5a).<sup>15</sup>

**for the months of the year** - The Rabbis taught: The first of Nissan is the new year for months, as it is written: "This month is to you ... It is the first to you for the months of the year. Speak to the entire congregation of Israel, etc."; and (*Deuteronomy* 16:1): "Observe the month of *aviv* [spring, the beginning of growth], and make the Pesach." In which month is there *aviv*? Nissan. And it is called "the first" [here, where the *mitzvah* of Pesach follows — which indicates that Nissan is the first of the months] (*Rosh Hashanah* 7a).<sup>16</sup>

**for the months of the year** - This teaches us that the total of all the months is a year. And from here we derive that the year is reckoned according to the months [lit., "renewals"] of the moon, [which undergoes renewal], and not according to the sun, [which does not undergo renewal] (*Yereim* 103).<sup>17</sup>

- 12:3 Speak to the entire congregation of the children of Israel, saying: On the tenth day of this month, they shall take for themselves, each man, a lamb for a household, a lamb for a house.

**Speak [dabru (plural)]** - R. Yishmael said: Now did *both* of them speak? Is it not written (31:13): "And *you* [Moses] speak to the children of Israel"? But because Moses accorded honor to Aaron, saying: "Teach me," and Aaron accorded honor to Moses, saying: "Teach me," and the pronouncement emanated from both, it is as if both would have spoken it (*Mechilta*).<sup>18</sup>

**on the tenth of this month** - "*This*" is a term of limitation, viz.: The paschal lamb of *Egypt* must be taken on the tenth, but not that of all the generations (*Pesachim* 96a).<sup>19</sup>

**they shall take for themselves, each man** - R. Yitzchak said: "they shall take for themselves, each *man*" — a *man* can take [for others], and not a minor (*Ibid. b*).<sup>70</sup>

**they shall take for themselves, each man** - Now did all of them take? Did not only *one* take? From here we derive that a man's messenger is reckoned as the man himself (*Kiddushin* 42a).<sup>21</sup>

**for a household** - A "household" is nothing other than a family, as it is written (*Numbers* 4:38): "for their families, according to their households" (*Mechilta*).<sup>22</sup>

**a lamb for a house** - The Rabbis taught: "a lamb for a house" — This teaches us that one may take a lamb and slaughter it for his minor son and daughter and for his Canaanite man-servant and maid-servant, with or without their acknowledgement; but not for his adult son and daughter, and not for his Hebrew man-servant and maid-servant, and not for his wife, except with their acknowledgement (*Pesachim* 88a).<sup>23</sup>

**a lamb for a house** - If there were ten houses to one household, I might think that one lamb could be taken for all; it is, therefore, written: "a lamb for a house" (*Mechilta*).<sup>24</sup>

- 12:4 And if the house become few from being [able to

consume] from a lamb, then he and his neighbor who is near to his house shall take according to the count of the souls; a man according to his eating shall you count upon the lamb.

**And if the house become few** - This teaches us that they may dwindle [i.e., they may transfer from one lamb to another], so long as one of the original company is left (*Ibid.* 99a).<sup>25</sup>

**from being [able to consume] from a lamb** - It is permitted to number oneself for a Paschal lamb and to withdraw from that lamb, so long as it has not yet been slaughtered, it being written: "And if the house become few from being from [*miheyoth*] from a lamb" — [the implication is] "*michiyutheh*" [i.e., "from (i.e., during) the life of] the lamb" (*Ibid.* 89a).<sup>26</sup>

**from being from a lamb** - It was taught: "And if the house become few from being [*miheyoth*] from a lamb" — "*hachayehu miseh*" ["Make him live from a lamb" (i.e., support him by way of the lamb)]. [From here it is derived that one may share his lamb with others and take from them money for the wood for roasting it and for matzoh and maror (which is eaten together with it), but not for a garment or a talith (which is not directly associated with it)] (*Ibid.* 90a).<sup>27</sup>

**then he and his neighbor ... shall take** - This tells me of "his neighbor" in his attic [though an attic is considered a separate domain]. But perhaps it means "his neighbor" who is right next to him! It is, therefore, written: "who is near to his house" [though he not be right next to him] (*Mechilta*).<sup>28</sup>

**according to the count of the souls** - The Rabbis taught: "according to the count" — This teaches us that the Paschal lamb is slaughtered only for those counted for it. I might think that if he slaughtered it otherwise it is still valid; it is, therefore, written: "shall you count" — Scripture repeats it to make it categorical (*Ibid.* 61a).

**according to the count of the souls** - Partakers of the Paschal lamb may be counted for it until it is slaughtered, it being written: "according to the count of the souls *tachosu*" [which may also be understood as "shall

you slaughter”] — [first: “according to the count”]; and then: “shall you slaughter” (*Ibid.* 89a).<sup>29</sup>

**according to the count of the souls** - “souls” [*nefashoth (plene)*] — to include women (*Ibid.* 91b).<sup>30</sup>

**according to the count of the souls** - “souls” [*nefashoth (plene)*] — to include a *tumtum* [one whose sex is in doubt] and a hermaphrodite (*Mechilta*).<sup>31</sup>

**a man according to his eating shall you count** - The Rabbis taught: “a man according to his eating shall you count” — This teaches us that the Paschal lamb is slaughtered only for its eaters [i.e., only those who are capable of eating]; and eaters are likened to those counted for it [i.e., Just as slaughtering for those not counted for it invalidates it (see commentary above), so, slaughtering for those unable to eat it] (*Ibid.* 61a).<sup>32,33</sup>

**a man according to his eating shall you count** - From here R. Yossi derived: It is permitted to slaughter a Paschal lamb for one man (*Ibid.* 91a).<sup>34</sup>

**a man according to his eating shall you count** - The Rabbis taught: If a minor is capable of eating an olive-size of roast [lamb], then a Paschal lamb is slaughtered for him [as one of its partakers], as it is written: “a man according to his eating shall you count” (*Succah* 42b).<sup>35</sup>

**a man according to his eating shall you count** - One who is unclean because of contact with a dead body does not send his Paschal lamb [to be slaughtered in the *azarah* by a messenger], for it is written “a man according to his eating shall you count” [and one who is thus unclean cannot eat it] (*Zevachim* 22b).<sup>36</sup>

**shall you count** - [The Rabbis taught: Whence is it derived that the Paschal lamb is slaughtered only for those counted for it?] Rebbi said: It is written: “a man according to his eating *tachosu*” — “*tachosu*” is an abbreviated expression, as one would say to his neighbor: “*chos li tleh zeh*” [“Slaughter for me this lamb”] (*Pesachim* 61a).<sup>37</sup>

**shall you count upon the lamb** - Whence is it derived that those who will partake of the lamb are counted [only until it is slaughtered]? It is

written “lamb” in respect to the lamb of Egypt (3) and “lamb” in respect to [the *mitzvah* for all] generations. Just as the “lamb” of Egypt was [taken] live, so the “lamb” of generations is live [so that “count upon the lamb” connotes: Count while the lamb is still alive] (*Yerushalmi Pesachim* 8:3).<sup>38</sup>

12:5 A lamb, unblemished, a male, a one-year-old, shall it be to you; of the lambs and of the goats shall you take it.

**a lamb, unblemished, a male** - Included in “lamb” are kid and sheep, as it is written (*Deuteronomy* 14:4): “the lamb of the sheep and the lamb of the goats”; “unblemished” — to exclude an animal with a defect; “male” — to exclude a *tumtum* [an animal whose sex is in doubt], a hermaphroditic animal, and a female (*Mechilta*).<sup>39,40</sup>

**unblemished** - Even cataracts and blendings of eye-colors invalidate it [but shearing does not] (*Yerushalmi Pesachim* 9:5).<sup>41</sup>

**a one-year-old** - This tells me only of a one-year-old. Whence do I derive that [it is valid] its entire first year? R. Yishmael was wont to say: It is derived *a fortiori*, viz.: Now if a burnt-offering, which is of a high order of sanctity may be brought its entire year as at the one-year mark itself, then the Paschal lamb, which is of a lesser order of sanctity, how much more so! (*Mechilta*).<sup>42,43</sup>

**shall it be to you** - It was taught: “A lamb, unblemished, a male, a one-year-old” — It must be unblemished and in its first year at the time of slaughtering. Whence do I derive that it must also be so at the time of the receiving, presenting, and sprinkling of the blood? From: “shall it be to you” — Its *entire* being shall be in an unblemished one-year status (*Zevachim* 25b).<sup>44</sup>

**of the lambs and of the goats** - I might think that *both* are required; but we learn otherwise, *a fortiori*, viz.: Now if a burnt-offering, which is of a higher order of sanctity, may be brought from [only] one kind [without the other], then the Paschal lamb, which is of a lesser order of sanctity, how much more so! (*Mechilta*).<sup>45</sup>

12:6 And it shall be to you for a keeping until the fourteenth

day of this month. And the entire assembly of the congregation of Israel shall slaughter it towards evening.

**And it shall be to you for a keeping** - Scripture hereby apprises us that it was inspected [for possible blemishes] for [a period of] four days before being slaughtered (*Ibid.*).<sup>46</sup>

**of this month** - This tells me only that the Paschal lamb of Egypt required inspection four days before slaughtering. Whence do I derive the same [requirement] for the Paschal lamb of all the generations? From (13:5): "And you shall perform this service on this month" — All the services of this month must be as this one [i.e., that of the Paschal lamb of Egypt] (*Pesachim* 96a).<sup>47</sup>

**of this month** - What is the intent of "*this* month"? To exclude [from these strictures] Pesach *sheni* [the lamb of the "second Passover"], which is similar to it [i.e., to the Pesach of Egypt, in that it is also a one-day festival] (*Ibid.*).<sup>48</sup>

**And ... shall slaughter it** - It was taught: R. Yehoshua b. Karcha says: "And the entire assembly of the congregation of Israel shall slaughter it." Now does the entire congregation slaughter it? Is it not only one that slaughters it? From here we derive that one's messenger is reckoned as the sender himself (*Kiddushin* 41b).<sup>49</sup>

**the entire assembly of the congregation of Israel** - The Paschal lamb is slaughtered in three groups, it being written: "And the entire assembly of the congregation of Israel shall slaughter it" — "assembly," "congregation," and "Israel." And there may not be fewer than thirty in each group. Why so? [For it is written:] "assembly," "congregation," [and "Israel" and a quorum is ten] (*Pesachim* 64a,b).<sup>50</sup>

**towards evening** - The Rabbis taught: The *tamid* [the daily burnt-offering] precedes the Paschal offering. Why so? *That* [i.e., the Paschal offering] in respect to which it is written (*Deuteronomy* 16:6): "in the evening," and: "towards evening" should follow *that* [i.e., the *tamid*] in respect to which it is written only: "towards evening" (*Ibid.* 59a).<sup>51</sup>

**towards evening** - If one slaughters the Paschal lamb before mid-day, it is invalid, for it is written: "towards evening" (*Ibid.* 61a).<sup>52</sup>

12:7 And they shall take from the blood, and they shall place it on the two door-posts and on the lintel of the houses in which they eat it.

And they shall take from the blood - I might think, by hand; it is, therefore, written (22): "And take a bunch of hyssop, and dip it in the blood which is in the *saf*," a *saf* being a kind of vessel, as it is written (I Samuel 7:50): "and the *safoth*, and the snuffers, and the basins, and the spoons" (*Mechilta*).<sup>53</sup>

on the two door-posts [*mezuzoth*] - What is the intent of "two"? It serves as a prototype, viz., [to teach that] wherever *mezuzoth* is written, only one door-post is meant, unless Scripture specifically indicates two (*Menachoth* 34a).<sup>54,55</sup>

and on the lintel - I might think that the outer lintel is intended; it is, therefore, written (13): "And the blood shall be for you as a sign" — "For you as a sign," and not for others as a sign. It is the inner lintel, then, that is meant (*Mechilta*).<sup>56</sup>

of the houses in which they eat it - This teaches us that the Paschal lamb may be eaten in two groups (*Pesachim* 86a).<sup>57</sup>

in which they eat it - Whence is it derived [that the same directive applied to] the houses that they slept in? From (13): "in the houses where you are" (*Mechilta*).<sup>58</sup>

12:8 And they shall eat the meat in this night, roasted in fire; and matzoth with bitter herbs shall they eat it.

the meat - [Which meat is being referred to?] The meat upon the bones. As to the meat within the bones, however, [i.e., the marrow], it is written (46): "and a bone shall you not break in it" (*Pesachim* 85a).<sup>59</sup>

the meat - "meat," and not sinews, and not bones, and not horns, and not hooves (*Mechilta*).<sup>60</sup>

in this night - [The *mitzvah* of the eating of the Paschal lamb is until the rising of the morning star], as it is written (11): "and you shall eat it in haste" — until the time of haste [i.e., the time of leaving Egypt, at the

rising of the morning star]. If so, why is it written: "at night" if this is obvious from the above?] For I might think that it is eaten as other consecrated food, [also] in the daytime, [in this instance, Pesach eve]; it is, therefore, written: "at night" — It is eaten at *night*, and not in the daytime (*Berachoth* 9a).<sup>61,62</sup>

**in this night** - The Rabbis taught: One who eats an olive-size of roast [of the Paschal lamb] while it is still day transgresses a positive commandment, viz.: "And they shall eat the meat in this night" — at *night*, and not in the daytime. This is a negative commandment derived from a positive one; and every negative commandment derived from a positive one is considered positive (*Pesachim* 41b).<sup>63</sup>

**in this night** - This tells me only that the Paschal lamb of Egypt was to be eaten at night. Whence do I derive the same [requirement] for the Paschal lamb of all the generations? From (13:5): "And you shall perform this service on this month" — All the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Ibid.* 96a).<sup>64</sup>

**in this night** - From when may they be eaten? From the time it gets dark. If he did not eat them when it got dark, he may eat them the entire night. If he did not eat them the entire night, he may no longer eat them (*Tosefta Pesachim* 2).<sup>65</sup>

**in this night** - What is the intent of "*this*"? Its purpose is to exclude an additional night. For I might think that since the Paschal lamb is of lower-order sanctity, and peace-offerings are of lower-order sanctity, then just as peace-offerings are eaten two days and one night, so the Paschal lamb is eaten two nights instead of two days [since it may not be eaten in the daytime], so that it would be eaten on two nights, with the day intervening. It is, therefore, written: "in this night" — It is eaten on *this* night, and not on a different one (*Berachoth* 9a).<sup>66,67</sup>

**and matzoth with bitter herbs [maror] shall they eat it** - Scripture tells us that the *mitzvah* of the Paschal lamb is with matzoh and maror. And whence is it derived that if he does not have matzoh and maror he fulfills his obligation with the Paschal lamb itself? From: "shall they eat *it*." And just as the obligation of the Paschal lamb is fulfilled without matzoh and maror, so the obligation of matzoh and maror is fulfilled without the Paschal lamb (*Mechilta*).<sup>68</sup>

**and matzoth with bitter herbs shall they eat it** - This teaches us that the Paschal lamb is eaten when one is sated [i.e., after the matzoth and the bitter herbs], but the matzoth and the maror are not eaten when one is sated (*Ibid.*).<sup>69</sup>

**12:9 Do not eat of it raw and cooked, cooked, in water, but roasted in fire — its head, with its legs, with its entrails.**

**Do not eat of it** - The paschal lamb is forbidden to a mourner. Why so? For “of it” is written in respect to *ma’aser* [tithes], viz. (*Deuteronomy* 26:14): “I have not eaten of it in my mourning”; and “of it” is written in respect to the Paschal lamb. Just as *ma’aser* is forbidden to a mourner, so, the Paschal lamb (*Yerushalmi Yevamoth* 8:1).<sup>70</sup>

**Do not eat of it raw** - This tells me only that the Paschal lamb of Egypt was not to be eaten raw. Whence do I derive the same for the Paschal lamb of all the generations? From (13:5): “And you shall perform this service on this month” — All the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Pesachim* 96a).<sup>71</sup>

**Do not eat of it raw** - What is “raw”? Rav said: As the Persians say: “*avarnim*” [i.e., half-done meat] (*Ibid.* 41a).<sup>72</sup>

**raw and cooked** - The Rabbis taught: I might think that if he ate a raw olive-size he is liable; it is, therefore, written: “Do not eat of it raw and cooked, cooked” — I am speaking of “raw and cooked” [i.e., half-cooked], and not completely raw (*Ibid.*).<sup>73</sup>

**raw and cooked** - Rava said: If he ate it raw and cooked, he receives stripes only once; for stripes are not administered twice for a generic negative commandment [such as “Do not eat of it” (which embraces several particulars)] (*Ibid.* b).<sup>74</sup>

**and cooked, cooked** - What is the intent of: “and cooked, cooked”? As it was taught: If he cooked it and afterwards roasted it, or roasted it and afterwards cooked it, he is liable (*Ibid.* a).<sup>75</sup>

**and cooked, cooked** - From here it is derived that it is forbidden to place its legs and its intestines inside it [while roasting it], for this would be like cooking them; but they are suspended outside it (*Ibid.* 74a).<sup>76</sup>

**and cooked, cooked** - The Paschal lamb is not roasted on a spit of palm-tree or fig-tree wood. Why not? Palm-wood, having grooves, exudes water, rendering the meat quasi-cooked. Fig-wood, being hollow, exudes water, rendering the meat quasi-cooked (*Ibid.*).<sup>77</sup>

**and cooked, cooked, in water** - This tells me only of water. Whence do I derive the same [ruling] for other liquids? It is derived *a fortiori*, viz.: Now if water, which does *not* intrude its taste [into the meat] is forbidden; other liquids, which *do* intrude their tastes, how much more so [should they be forbidden]! (*Pesachim* 41a).<sup>78</sup>

**and cooked, cooked in water** - The term "cooked" [by itself] includes "roasted," as it is written [in respect to the Paschal lamb] (*Deuteronomy* 16:7): "And you shall cook it and you shall eat it," and (*II Chronicles* 16:7): "And they cooked the Paschal lamb." [To exclude, then, what we know as cooking, it must be specifically stated: "cooked *in water*"] From here R. Yashiah derived: One who vows not to eat what is cooked, may also not eat what is roasted (*Mechilta*).<sup>79,80</sup>

**but roasted in fire** - The Rabbis taught: I might think that if he ate an olive-size of raw [Paschal lamb] he is liable [for stripes]; it is, therefore, written: "Do not eat of it raw and cooked, cooked" — He is liable for "raw and cooked" [i.e., half-cooked], but not for completely raw. I might then think that it is permitted [to eat it completely raw]; it is, therefore, written: "but roasted in fire" (*Pesachim* 41a).<sup>81,82</sup>

**but roasted in fire** - What is the intent of "*but*"? To teach that when "Eat roast" obtains, "Do not eat raw" obtains, and when "Eat roast" does not obtain, "Do not eat raw" does not obtain." From here it is derived that if one ate an olive-size of raw ["and cooked"] Paschal lamb during the day [i.e., on Pesach eve], he is not liable (*Ibid.* b).<sup>83</sup>

**but roasted in fire** - What is the intent of "*but*"? I might think that what was [more] fit for boiling should be boiled, and what was fit for roasting should be roasted; it is, therefore, written: "*but* roasted in fire" (*Mechilta*).<sup>84</sup>

**but roasted in fire** - that which is roasted from a raw animal [i.e., It must be roasted in a raw state], and not from a cooked one (*Ibid.*).<sup>85</sup>

**roasted in fire** [roasted in fire, and not in a pot (without water)] (*Pesachim* 41a).<sup>86</sup>

**roasted in fire** - The Rabbis taught: I might think that if he roasted it completely, so that it became charred, he is liable [for stripes]; it is, therefore, written: "Do not eat of it raw and cooked, cooked" — I am speaking of "raw and cooked" [i.e., half-cooked], and not completely roasted (*Ibid.*).<sup>87,88</sup>

**roasted in fire** - If one cooked the Paschal lamb in the hot springs of Tiberias he is liable for transgression of "roasted in fire." (*Ibid.* 41a).<sup>89</sup>

**roasted in fire** - The Paschal lamb is not roasted on a spit of metal. Why not? For metal, when part of it is hot, all of it is hot, so that the meat is "roasted" by the metal; and Scripture states: "roasted in fire," and not roasted by something else (*Ibid.* 74a).<sup>90</sup>

**roasted in fire** - R. Assi said in the name of R. Yochanan: If an oven were heated and then cleared of ashes and a Paschal lamb roasted in it, this does not satisfy "roasted in fire" [though the heat was produced by fire], for it is written: "roasted in fire," "roasted in fire," twice (8 and 9) [to stress that it must be roasted *directly* in fire] (*Ibid.* 75a).<sup>91</sup>

**roasted in fire** - The Rabbis taught: If he cut it and placed it upon coals, Rabbi says: I say that this is considered: "roasted in fire" (*Ibid.*).<sup>92</sup>

12:10 And do not leave over anything of it until morning; and what is left over of it until morning, in fire shall you burn it.

**until morning** - It was taught in the school of Chezariah: What is the intent of [the second] "until morning"? Scripture is designating a second morning [i.e., that of the sixteenth of Nissan] for its burning — whence we derive that consecrated food is not burned on a festival (*Shabbath* 24b).<sup>93,94</sup>

**until morning** - What is the intent of [the second] "until morning"? Scripture is designating a bound, viz., "the morning of morning" [i.e., the rising of the sun] (*Mechilta*).<sup>95,96</sup>

**in fire shall you burn it** - It was taught: "Do not leave over anything of it until morning; and what is left over of it until morning, in fire shall you burn it." Scripture states a positive commandment after a negative one, thus indicating that if one *does* leave over, he does not receive stripes [in that he can "correct" his transgression by performance of the positive commandment] (*Pesachim* 84a).<sup>97</sup>

**12:11 And thus shall you eat it: your thighs girt, your shoes on your feet, and your staffs in your hands. And you shall eat it in haste; it is a Pesach offering to the L-rd.**

**And thus shall you eat it, etc.** - as those going on a journey. R. Yossi Haglili says: Scripture is hereby teaching proper deportment to those setting out on a journey — that they do things with despatch (*Mechilta*).<sup>98</sup>

**And you shall eat it in haste** - [What is the intent of "it"?] "*It*" [i.e., the Paschal lamb of Egypt] is to be eaten in haste, but the other [i.e., the Paschal lamb of all the generations] need not be eaten in haste (*Ibid.* 96a).<sup>99</sup>

**in haste** - until the time of haste. From here it is derived that the *mitzvah* of eating the Paschal lamb, according to Scripture, is until the rising of the morning star [at which time they left Egypt] (*Berachoth* 9a).<sup>100,101</sup>

**in haste** - This is the haste of the Jews [to leave; and not the haste of the Egyptians to *make* them leave] (*Ibid.*).<sup>102</sup>

**12:12 And I shall pass through the land of Egypt on this night, and I shall smite all the first-born in the land of Egypt, from man until beast. And against all the gods of Egypt shall I execute judgment; I am the L-rd.**

**And I shall pass through** - When the Holy One Blessed be He came to redeem Israel, He did not send a messenger or an angel, but He Himself was the Redeemer, as it is written: "And I shall pass through the land of Egypt" — He and His entire retinue (*Yerushalmi Sanhedrin* 2:1).<sup>103</sup>

**and I shall smite all the first-born** - And it is written (*Numbers* 8:17).

“For Mine are all the first-born of the children of Israel ... On the day that I smote all the first-born in the land of Egypt ... ” From here it is derived that before the establishment of the Tabernacle, the sacred service was performed by the first-born [and it was subsequently assumed by the Levites] (*Yerushalmi Megillah* 1:11).<sup>104</sup>

**from man until beast** - The punishment begins from the beginner of the transgression (*Mechilta*).<sup>105</sup>

**And against all the gods of Egypt** - From here it is derived that no idolatrous nation is smitten without its heavenly plenipotentiary being smitten along with it (*Succah* 29a).<sup>106</sup>

**And against all the gods of Egypt** - [From here it is derived that when one takes an oath “by G-d,” it must be ascertained that he does not intend a god of idolatry], for their deities are also referred to as “god,” as it is written: “And against all the gods of Egypt shall I execute judgment” (*Nedarim* 25a).<sup>107</sup>

12:13 And the blood shall be for you as a sign in the houses where you are. And when I see the blood, I shall pass over you; and the plague shall not be against you as a destroyer when I smite the land of Egypt.

**for you as a sign** - “for *you* as a sign,” and not for Me as a sign; “for *you* as a sign,” and not for others as a sign [See commentary (56)] (*Mechilta*).<sup>108</sup>

12:14 And this day shall be to you for a remembrance, and you shall offer a sacrifice upon it to the L-rd throughout your generations. As an eternal statute shall you sacrifice upon it.

**and you shall offer a sacrifice [vechagothem] upon it** - R. Pappa asked Abbaye: Whence is it derived that “*vechagothem*” refers to sacrifice? Perhaps it refers to dancing! He answered: It is explicitly written (5:1): “And let them sacrifice [*veyachogu*] to Me in the desert.” But how do we know it [i.e., that it refers to sacrifice] there! He answered: It is

derived: “desert” [here] - “desert” [in *Amos*]. It is written here: “*Veyachogu* to Me in the desert,” and (*Amos* 5:25): “Sacrifices and meal-offering did you present to Me in the desert?” Just as there, sacrifices [are indicated]; here, too, sacrifices [are meant] (*Chagigah* 10b).<sup>109,110</sup>

a sacrifice to the L-rd - Beth Hillel says: Peace-offerings and burnt-offerings may be brought on a festival and the hands placed upon them [*semichah*]. Whence is this derived? From: “and you shall offer a sacrifice upon it to the L-rd” — *all* that is to the L-rd [may be offered] (*Beitzah* 19a).<sup>111</sup>

As an eternal statute - Why is this mentioned [after “throughout your generations”]? From “throughout your generations,” I might say that the minimum of “generations” is two. It is, therefore, written: “As an eternal statute shall you sacrifice upon it” (*Mechilta*).<sup>112</sup>

12:15 Seven days matzoth shall you eat; but on the first day shall you eliminate leaven from your houses. For everyone who eats *chametz* [leavened food], that soul shall be cut off from Israel — from the first day until the seventh day.

Seven days matzoth shall you eat - It was taught: I might think that one could fulfill his obligation [of matzoh] with the cakes of the thanksgiving offering and the wafers of the Nazirite's offering [which are also of matzoh]; it is, therefore, written: “Seven days matzoth shall you eat” — Matzoh that may be eaten for seven days [is required], to exclude the afore-mentioned, which may not be eaten for seven days, but only for a day and a night (*Pesachim* 38b).<sup>113,114</sup>

Seven days matzoth shall you eat - One verse states: “Seven days matzoth shall you eat,” and, another (*Deuteronomy* 16:8): “Six days shall you eat matzoth”! How is this to be resolved? Matzoh that you cannot eat *seven* days from the new crop [since the new crop cannot be eaten until the *omer*-offering of the sixteenth of Nissan], you can eat *six* days from the new crop (*Menachoth* 66a).<sup>115</sup>

Seven days matzoth shall you eat - This tells me only of *days*. Whence do I derive the same [ruling] for nights? From (18): “On the first, on

the fourteenth day of the month, in the evening shall you eat matzoth, until the twenty-first day of the month in the evening" (*Mechilta*).<sup>116</sup>

**matzoth shall you eat** - I might think that all types of matzoth are permitted; it is, therefore, written (*Deuteronomy* 16:3): "Do not eat upon it *chametz*; seven days shall you eat upon it matzoth" [The juxtaposition of "*chametz* seven days" implies that (in some sense) *chametz* is to be eaten for seven days! This, of course, being impossible, it is understood as follows:] Grain which is susceptible of becoming *chametz* — with such grain one can fulfill his obligation [of matzoh] on Pesach. Which grain is this? The five species [wheat, barley, rye, oat, and spelt] — to exclude rice and millet. With these, since they are not susceptible of becoming *chametz*, but only of putrefying — with these, one cannot fulfill his obligation [ of matzoh] on Pesach (*Pesachim* 35a).<sup>117</sup>

**but on the first day** - in the daytime, and not at night (*Ibid.* 5a).<sup>118</sup>

**but on the first day** - And it is written (19): "Seven days leaven shall not be found in your houses"! [If the leaven is to be eliminated *on* the first day, how can there be seven *full* days without leaven!] How is this to be resolved? Abbaye said: To include the fourteenth day for elimination [i.e., "the first day" is the fourteenth of Nissan preceding the seven full days of the festival]. [From here we derive that *chametz* is forbidden from the sixth hour on the fourteenth of Nissan.] In that case, perhaps it is forbidden from the morning! [This is not so, for] "but" [*but* on the first day"] divides [the day in two — permission and prohibition] (*Ibid.*).<sup>119-122</sup>

**but on the first day, etc.** - But perhaps this ["but on the first day"] comes to include the night of the fifteenth for the elimination of leaven [i.e., "But before the first day dawns ... "]. Do not entertain this notion, for it is written (19): "Seven days leaven shall not be found in your houses, for everyone who eats *chametz*, that soul will be cut off," and (20): "All *chametz* you shall not eat; in all your habitations you shall eat matzoth." The [time for the] elimination of leaven is hereby likened to [that for cessation of] the eating of *chametz*, and [the time for cessation of] the eating of *chametz* to [the time for] the eating of matzoh; and, in respect to the last, it is written (18): "in the evening shall you eat matzoth" [The time, then, for *all* of the above, is the beginning of the evening, and not pre-dawn] (*Ibid.*).<sup>123,124</sup>

**but on the first day** - It was taught in the school of R. Yishmael: "the first" — this is the fourteenth day [of Nissan]; for we find the fourteenth day being called the first, viz. (18): "On the first, on the fourteenth day of the month, in the evening shall you eat matzoth" (*Ibid.*).<sup>125</sup>

**but on the first day [harishon]** - R. Nachman b. Yitzchak said: "the first" — this is the fourteenth day [of Nissan]. Why is it called "the first"? It is being used in the sense of "before" [in this instance, "on the day *before* the festival"], as in (*Job* 15:7): "Were you born before [*harishon*] Adam?" (*Ibid.*).<sup>126</sup>

**but on the first day, etc.** - It was taught: "but on the first day shall you eliminate" — this is the eve of the festival. But perhaps it is the [first day of] the festival itself! [This cannot be, for] it is written (34:25): "Do not slaughter with *chametz* the blood of My sacrifice," i.e., Do not slaughter the Paschal lamb when *chametz* is still found [From here it is derived that *chametz* is forbidden from the sixth hour on the fourteenth of Nissan (when the Paschal lamb is slaughtered)] (*Ibid.*).<sup>127</sup>

**shall you eliminate** - "shall you eliminate" — in any way that you can: either by burning it, or crumbling it and scattering it to the wind, or throwing it into the sea (*Ibid.* 27b).<sup>128</sup>

**shall you eliminate leaven** - R. Zeira said: Scripture opens with "leaven" and closes with "*chametz*," to teach that the forbidden quantity for *chametz* is the same as that for leaven, an olive-size (*Beitzah* 7b).<sup>129,130</sup>

**everyone who eats chametz** - "everyone" — to include women. I might think [if not for this phrase of inclusion], since it is written (*Deuteronomy* 16:3): "Do not eat upon it *chametz*; seven days shall you eat upon it matzoth," that all who are included in: "Eat matzoth" are included in: "Do not eat *chametz*," and that women, since they are not included in: "Eat matzoth," it being a time-oriented positive commandment [from which women are exempt], they are also not included in: "Do not eat *chametz*"; it is, therefore, written: "*everyone*" (*Pesachim* 43a).<sup>131</sup>

**For everyone who eats chametz, that soul shall be cut off** - For

*chametz* of grain [i.e., pure *chametz*] there is cutting-off; and for an admixture, violation of (20): “All *chametz* you shall not eat” (*Ibid.*).<sup>132</sup>

**that soul shall be cut off** - “Cutting-off” implies removal [from “the congregation of the L-rd],” and “soul,” deliberation [as opposed to unwitting transgression] (*Mechilta*).<sup>133,134</sup>

**that soul** - “that soul” — to include [as transgressing] one who drinks [*chametz*; drinking, too, producing satiety of “soul”] (*Chullin* 120a).<sup>135</sup>

**from Israel** - I might think that it is cut off from Israel but may annex itself to a different nation; it is, therefore, written (*Leviticus* 22:3): “and that soul shall be cut off from before Me; I am the L-rd” — in all that is My domain (*Mechilta*).<sup>136</sup>

**from the first day, etc.** - It was taught “from the first day until the seventh day”: I might think: “*from* the first day,” but not including the first day; “*until* the seventh day,” but not including the seventh day. It is, therefore, written (18): “until the twenty-first day of the month in the evening” (*Erchin* 18a).<sup>137</sup>

12:16 And on the first day a calling of holiness, and on the seventh day, a calling of holiness shall there be to you. All labor shall not be done in them. Only what is to be eaten by all souls; it alone may be done for you.

**a calling of holiness** - Sanctify it with food and with drink and with clean clothing. And this tells me only of the first and the last day of the festival. Whence do I derive the same for the intermediate days [*chol hamoed*]? From (*Leviticus* 23:37): “These are the festivals of the L-rd, which you shall call callings of holiness” [and the reference there is to *chol hamoed*] (*Mechilta*).<sup>138,139</sup>

**All labor** - If one kneaded dough on the eve of the festival and failed to separate *challah*, he may not do so on the festival itself, by reason of: “All labor shall not be done in them” (*Yerushalmi Pesachim* 3:3).<sup>140</sup>

**shall not be done** - “shall not be done” — [this is a categorical statement, viz.] Neither you, your neighbor, nor a gentile shall do your work (*Mechilta*).<sup>141</sup>

**Only what is to be eaten by all souls** - followed by: “And you shall watch the matzoth” [implying that only those labors are permitted which relate directly to the matzoth, and not those of a preparatory nature], whence it is derived that sorting, grinding, and sifting flour are forbidden on the festival (*Yerushalmi Beitzah* 1:10).<sup>142</sup>

**by all souls** - what is required by all souls — to exclude the preparation of spices. Since they are not required by all souls, it is forbidden to prepare them on the festival (*Kethuvoth* 7a).<sup>143</sup>

**by all souls** - [what is common (i.e., a common requirement) to all souls — to exclude bathing of the entire body. Since it is not common to all souls, it is forbidden] (*Yerushalmi Shabbath* 3:3).<sup>144</sup>

**it alone** - “it,” and not its preliminaries; “alone,” and not circumcision beyond its time [i.e., the eighth day]. From here it is derived that consecrated food which became unfit is not to be burned on the festival (*Shabbath* 24b).<sup>145-147</sup>

**it alone may be done for you** - It is written: “it,” implying “it,” and not its preliminaries, and: “for you,” implying even its preliminaries! How is this to be reconciled? The first refers to preliminaries that could have been performed on the eve of the festival; the second, to preliminaries that could not have been performed on the eve of the festival (*Beitzah* 28b).<sup>148</sup>

**may be done for you** - “for you,” and not for Heaven. [From here it is derived that vow-offerings and gift-offerings, which are not brought because of the festival, are not sacrificed on the festival] (*Ibid.* 20b).<sup>149</sup>

**may be done for you** - [What is the intent of “for you”?] I might think, since it is written “by all souls,” that *any* soul is implied, even that of an idolator or of a beast; it is, therefore, written: “may be done for you” — “for you,” and not for idolators; “for you,” and not for dogs (*Ibid.* 21b).<sup>150</sup>

**may be done for you** - “for you,” there is a requirement of “what is to be eaten,” but there is no such requirement for “Heaven” — whence it is derived that burnt-offerings whose time [for sacrifice] falls out on the festival may be sacrificed on the festival [though they are burnt entirely, and not eaten] (*Yerushalmi Beitzah* 2:4).<sup>151</sup>

12:17 And you shall watch the matzoth; for on this very day I took your hosts out of the land of Egypt. And you shall observe this day throughout your generations, an eternal statute.

**And you shall watch the matzoth** - It was taught: I might think that one could fulfill his obligation [of matzoh] with cakes of the thanksgiving offering and wafers of the Nazirite's offering; it is, therefore, written: "And you shall watch the matzoth" — matzoh which is watched for the sake of matzoh, to exclude the afore-mentioned, which are not watched for the sake of matzoh, but for that of offering (*Pesachim* 38b).<sup>152</sup>

**And you shall watch the matzoth** - Rava said: It is a *mitzvah* to moisten [the wheat of the matzoh], for it is written: "And you shall watch the matzoth"; and if it did not need moistening, why would it need watching [since the purpose of the watching is to insure that moistness not lead to *chametz*]? And if you contend that the watching applies to the kneading [i.e., that no *chametz* intrude itself at that time], this is not "watching" [i.e., This is not the *special mitzvah* of "watching," but the *general mitzvah* of avoiding *chametz*] (*Ibid.* 40a).<sup>153,154</sup>

**And you shall watch the matzoth** - It was taught: I might think that one could fulfill his obligation with matzoh *revukah* [pulp of flour mixed with hot water and oil]; it is, therefore, written: "And you shall watch the matzoth" — [one can fulfill his obligation only with] matzoh that requires watching, to exclude matzoh *revukah*, which does not require watching [for it cannot become *chametz*] (*Yerushalmi Pesachim* 2:4).<sup>155,156</sup>

**And you shall watch the matzoth** - Watch it, that it not become unfit. From here it was ruled (*Pesachim* 48b): If the dough started to rise, let her [the kneading woman] douse her hands in cold water. If it leavened or developed slits [a sign of *chametz*], it must be burned (*Mechilta*).<sup>157</sup>

**And you shall watch the matzoth** - One must watch the flour of Pesach [intended for the matzoth] from the time of the harvesting [of the wheat], as it is written: "And you shall watch the matzoth" (*Rif Pesachim* 2,12a).<sup>158</sup>

**And you shall watch the matzoth** - R. Yashiah said: Read it not: "And

you shall watch the *matzoth*," but: "And you shall watch the *mitzvoh*." Just as matzoth are not permitted to become *chametz*, so *mitzvoh* should not be permitted to become *chametz* [i.e., "to sour"]; but if the opportunity of a *mitzvah* presents itself to you, perform it immediately (*Mechilta*).<sup>159</sup>

for on this very day - This teaches us that the exodus took place in the daytime (*Ibid.*).<sup>160</sup>

And you shall observe this day - See to it that the day and the night are guarded. [Here the sages found support for their dictum: On the night of the fourteenth (of Nissan), the search for *chametz* is made] (*Yerushalmi Pesachim* 1:1).<sup>161</sup>

And you shall observe this day - Why is this stated? Is it not already written (16): "All labor shall not be done in them"? To include activities which are not [technically] labors, but [negations of] resting (*Mechilta*).<sup>162</sup>

12:18 On the first, on the fourteenth day of the month in the evening, shall you eat matzoth, until the twenty-first day of the month in the evening.

On the first, on the fourteenth - What is being referred to? If the eating of matzoth, it is already written (16): "Seven days matzoth shall you eat." And if [the purpose of the verse is] to tell us that [the *mitzvah* of eating matzoh] begins on [the eve of] the fourteenth day, it is already written: "until the twenty-first day of the month in the evening" [and if the *mitzvah* of matzoh began on the eve of the fourteenth day, it would end not on the twenty-first, but the twentieth!] But if it cannot apply to the eating of matzoh, apply it to the elimination of *chametz* [— whence it is derived that the elimination of *chametz* on the fourteenth is a Scriptural injunction] (*Yerushalmi Pesachim* 1:1).<sup>163,164</sup>

in the evening shall you eat matzoth - [And though it is already stated (8): "And they shall eat the meat in this night, roasted in fire, and matzoth...", still] Scripture repeats: "in the evening shall you eat matzoth," to establish it as an obligation even at this time [when there is no Paschal lamb] (*Pesachim* 120a).<sup>165</sup>

the twenty-first day of the month in the evening - When R. Zeira came up [to Eretz Yisrael], he said: In the sanctification of the New Moon, both the day and the [preceding] night must be reckoned [as the sanctified day]. Whence is this derived? Resh Lakish said: From: "until the twenty-first day of the month in the evening" [indicating that the evening is considered a part of the day that follows] (*Rosh Hashanah* 20b).<sup>166,167</sup>

the twenty-first day of the month in the evening - What is the intent of: "in the evening"? From (15): "Seven days matzoth shall you eat," I derive only "days." Whence do I derive the same [ruling] for nights? From: "until the twenty-first day of the month in the evening" (*Mechilta*).<sup>168</sup>

12:19 Seven days leaven shall not be found in your houses; for everyone who eats *chametz*, that soul shall be cut off from the congregation of Israel, of the converts and of the citizens of the land.

leaven shall not be found in your houses - It is written here: "leaven in your houses," and, elsewhere (13:7): "And leaven shall not be seen by you in all of your *boundaries*." Just as there, in respect to boundaries, it is *your* leaven that you may not see, but you may see that of others [i.e., gentiles] and that of Heaven [i.e., consecrated food]; here, too, in respect to houses, the same applies (*Pesachim* 5b).<sup>169</sup>

shall not be found - "shall not be found" — even [food] deposits of gentiles for which a Jew accepted responsibility (*Ibid.*).<sup>170</sup>

shall not be found - On the night of the fourteenth [of Nissan], the search for *chametz* is made, by the light of a candle; for the light of a candle is optimal for searching. And though there is no proof for this, it is intimated. For it is written: "leaven shall not be found," and (*Genesis* 44:12): "And he *searched*. He began with the eldest, and ended with the youngest, and it was found," and (*Zephaniah* 1:12): "I will *search* Jerusalem with *candles*" (*Ibid.* 6a).<sup>171</sup>

in your houses - This tells me only of "your houses." Whence do I derive the same for holes, pits, and caves? From (13:7): "And leaven shall not be seen by you in all of your boundaries" (*Ibid.* 5b).<sup>172</sup>

for everyone who eats chametz - to include [the eater of] leaven [*se'or*] as punishable by *kareth* [cutting-off]. For I might think that only *chametz*, which is suitable for eating, is punishable by *kareth*, but *se'or*, which is not suitable for eating, is not punishable by *kareth*; it is, therefore, written: "for everyone who eats *chametz*, that soul shall be cut off" — to include *se'or* [the agent which produces *chametz*] (*Mechilta*).<sup>173,174</sup>

12:20 All *chametz* you shall not eat; in all of your habitations shall you eat matzoth.

All *chametz* - to include: Babylonian *kotach* [a kind of preservative], Medean beer, Edomite vinegar, and Egyptian beer [which are all admixtures of *chametz*]. I might think that the consuming of these is punishable by *kareth*; it is, therefore, written (15): "For everyone who eats *chametz*, that soul shall be cut off" — For *chametz* of grain [i.e., pure *chametz*] there is *kareth*; and for an admixture, there is transgression of a negative commandment [without *kareth*] (*Ibid.* 43a).<sup>175,176</sup>

in all of your habitations - It was taught: I might think that one could fulfill his obligation of matzoth with *bikkurim* ["first-fruits"]; it is, therefore, written: "in all of your habitations shall you eat matzoth" — matzoth which may be eaten in all of your habitations, to exclude *bikkurim*, which may not be eaten in all of your habitations, but only in Jerusalem. I might think that I exclude also *ma'aser sheni* [tithes, which are also to be eaten in Jerusalem]; it is, therefore, written: "matzoth," "matzoth" [twice: here, and (15)] to include [the eating of matzoth of *ma'aser sheni*] (*Ibid.* 36b).<sup>177,178</sup>

in all of your habitations - Why is "habitations" written in respect to matzoh? I might think, since it is written (*Numbers* 9:11): "With matzoth and maror shall they eat it [i.e., the Paschal lamb]," that when there is a Paschal lamb, there is a *mitzvah* of matzoh; and when there is no Paschal lamb, there is no *mitzvah* of matzoh. It is, therefore, written: "in all your habitations shall you eat matzoth" (*Kiddushin* 37b).<sup>179,180</sup>

shall you eat matzoth - Priests may fulfill their obligation [of matzoh] with *challah* and *terumah*. Is this not obvious? [No, it is not,] for I might

think that matzoh [of the kind] which is common to all men is required; it is, therefore, written: "matzoth," "matzoth," for extension of inclusion [See commentary (178)] (*Pesachim* 35b).<sup>181</sup>

**shall you eat matzoth** - The Rabbis taught (16:3): "shall you eat matzoth, the bread of affliction." I might think that one fulfills his obligation only with second-quality matzoth. It is, therefore, written: "matzoth," "matzoth" — to include even "King Solomon's matzoth." If so, why is it written: "bread of affliction"? To exclude pudding and pan-cake (*Ibid.* 36b).<sup>182-184</sup>

12:21 And Moses called to all the elders of Israel, and he said to them: Draw forth and take for yourselves sheep for your families, and slaughter the Paschal lamb.

to all the elders of Israel - Throughout, we find the Holy One Blessed be He according honor to the elders (*Mechilta*).<sup>185</sup>

**Draw forth and take** - A small beast is acquired by "drawing-forth," as it is written: "Draw forth and take for yourselves sheep" (*Yerushalmi Kiddushin* 1:4).<sup>186</sup>

**Draw forth and take** - "Draw forth" (he who possesses his own), and "take" [i.e., "acquire"] (he who does not possess his own). R. Yossi Haglili says: "Draw away from idol worship, and cleave to *mitzvot*" (*Mechilta*).<sup>187,188</sup>

**and slaughter the Paschal lamb** - Slaughter it *as* a Pesach offering; if it is not slaughtered as such, it is unfit (*Ibid.*).<sup>189</sup>

12:22 And take a bunch of hyssop, and dip it in the blood which is in the vessel, and touch the lintel and the two door-posts with the blood which is in the vessel; and you, do not go out, a man from the door of his house, until morning.

**a bunch of hyssop** - "hyssop," and not Greek hyssop, and not Roman hyssop, and not Cochalite hyssop, and not desert hyssop — [in fine,] no hyssop which is qualified by an epithet (*Ibid.*).<sup>190</sup>

**and dip it in the blood** - that there be in the blood enough for dipping [and administering as prescribed] (*Ibid.*).<sup>191</sup>

**which is in the vessel [saf]** - Some understand "*saf*" as "vessel," and others, as "threshold," as it is written (*Ezekiel* 43:8): "In setting their threshold [*sippam* (from "*saf*,")] by My threshold..." How, then, [according to the latter] are we to understand: "with the blood which is in the *saf*"? [Two "*safs*" are being referred to, i.e.,] He brings a *saf*, a vessel, and places it upon [the *saf*,] the threshold (*Yerushalmi Pesachim* 9:5).<sup>192</sup>

**the lintel, etc.** - I might think that if he touched the door-posts before the lintel he has not fulfilled his obligation; it is, therefore, written (7): "and they shall place it on the two door-posts and on the lintel" — to teach that whatever the order, it is valid (*Mechilta*).<sup>193</sup>

**which is in the vessel** - What is the intent of [the repetition of]: "which is in the vessel"? It is already written: "and dip it in the blood which is in the vessel"! To teach that for every touching there must be a [new] dipping (*Ibid.*).<sup>194</sup>

**and you, do not go out** - The Rabbis taught: If there is a plague in the city, gather in your legs [i.e., stay at home], as it is written: "and you, do not go out, a man from the door of his house, until morning" (*Bava Kamma* 60b).<sup>195</sup>

**and you, do not go out** - R. Yosef taught: "and you, do not go out, a man from the door of his house, until morning" — This teaches us that once permission has been given to "the destroyer" to destroy, he does not distinguish between the righteous and the wicked (*Ibid.* a).<sup>196</sup>

**until morning** - R. Yehudah said in the name of Rav: One should always enter [an inn] in "*ki tov*" [i.e., the morning, viz. (*Genesis* 1:4): "And G-d saw the light, *ki tov*" ("that it was good")]; and he should leave in *ki tov*, as it is written: "and you, do not go out, a man from the door of his house, until morning" (*Ibid.* b).<sup>197</sup>

**12:24** And you shall observe this thing, as a statute, for you and for your children, eternally.

**And you shall observe, etc.** - to include the Pesach offering of all the generations, as coming only from lambs or kids (*Mechilta*).<sup>198</sup>

**12:25** And it shall be, when you come into the land that the L-rd has given you, as He has spoken, then you shall observe this service.

**when you come into the land** - Scripture prescribes this service from their entry into the land and onwards (*Ibid.*).<sup>199</sup>

**12:26** And it shall be, when your sons say to you: What is this work to you?

**And it shall be, when your sons say** - Israel is hereby receiving an evil forecast, that Torah is destined to go forgotten among the Jews. Others say it is a propitious forecast, that they are destined to see children and grand-children (*Ibid.*).<sup>200</sup>

**What is this work** - R. Chiyya taught: The Torah addresses itself to four types of sons: What does the wicked son say? "What is this work to you?" What is this drudgery that you impose upon us from year to year? He thereby removes himself from the congregation [of Israel]. You, accordingly, tell him (13:8): "Because of this, the L-rd wrought for me" — He wrought for *me*, and not for "that one"; if he had been there, he would never have been worthy of redemption (*Yerushalmi Pesachim* 9:4).<sup>201</sup>

**12:27** And you shall say: It is a Paschal sacrifice to the L-rd, who skipped over the houses of the children of Israel in Egypt, when He smote Egypt; and our houses He saved. And the people bowed down, and they prostrated themselves.

**And you shall say: It is a Paschal sacrifice** - R. Gamliel was wont to say: Whoever does not say these three things on Pesach does not fulfill his obligation: Pesach, matzoh, and maror. Pesach — because the Holy One Blessed be He skipped over [*pasach*] the houses of our forefathers

in Egypt, as it is written: "And you shall say: It is a Paschal sacrifice to the L-rd, who skipped over, etc."; matzoh — because our forefathers were redeemed from Egypt, as it is written (39); "And they baked the dough, etc., cakes of matzoth, etc."; maror — because the Egyptians embittered the lives of our forefathers in Egypt, as it is written (1:14): "And they embittered their lives" (*Pesachim* 116b).<sup>202,203</sup>

**It is a Paschal sacrifice** - The substitute for a Paschal lamb [which was lost and then found] is sacrificed as a peace-offering. When is this the case? After Pesach, but not before. Whence is this derived? From: "It is a Paschal sacrifice" — *It* is a Paschal sacrifice, and not its substitute (*Ibid.* 97a).<sup>204,205</sup>

**It is a Paschal sacrifice** - "a Paschal sacrifice" — It must be sacrificed *as* a Paschal offering; "*it* is a Paschal sacrifice" — It is a categorical requirement [which, if not observed, invalidates the offering] (*Zevachim* 7b).<sup>206</sup>

**It is a Paschal sacrifice** - It is written (*Deuteronomy* 16:1): "And you shall process the Pesach-offering for the L-rd your G-d" — All of its processes must be explicitly intended *for* the Pesach-offering. I might think that this applies even to the smoking of the devoted portions; it is, therefore, written; "sacrifice." Just as a sacrifice is characterized by its indispensability for atonement, so, all that are so characterized [require specific intent], to exclude the smoking of the devoted portions, which is not indispensable for atonement (*Yerushalmi Pesachim* 5:2).<sup>207,208</sup>

**And the people bowed down, and they prostrated themselves** - This teaches us that all who hear of the miracles wrought by the Holy One Blessed be He for Israel in Egypt must give praise. And thus it is written (18:9): "And Jethro rejoiced ... and Jethro said: Blessed is the L-rd, who rescued you from the hand of Egypt" (*Mechilta*).<sup>209</sup>

12:28 And the children of Israel went and they did; as the L-rd commanded Moses and Aaron, so did they do.

**And they went, and they did** - What is the intent of: "And they went"? To assign reward for the going as for the doing (*Ibid.*).<sup>210</sup>

**And they did** - Now did they do so immediately? [i.e., They were

commanded on Rosh Chodesh, and did not “do” until the fourteenth!] Their taking it upon themselves to do it is considered by Scripture as if they had already done it (*Ibid.*).<sup>211</sup>

so did they do - What is the intent of this? Is it not already written: “And the children of Israel did; as the L-rd commanded Moses and Aaron ...”? This teaches us that Moses and Aaron also did so (*Ibid.*).<sup>212</sup>

12:29 And it was in the middle of the night and the L-rd smote every first-born in the land of Egypt, from the first-born of Pharaoh, who sat on his throne until the captive first-born in the dungeon, and all the first-born of the beasts.

And it was in the middle of the night - The Rabbis taught: All those forty years that the Jews were in the desert there was no day that the north wind [a beneficent wind, with healing powers] did not blow in the middle of the night, as it is written: “And it was in the middle of the night and the L-rd smote every first-born...” What is the significance of this? It apprises us of the substantiality of “a time of favor” (*Yevamoth* 72a).<sup>213</sup>

12:31 And he called to Moses and to Aaron at night, and he said: Arise and go out from the midst of my people, both you and the children of Israel, and go serve the L-rd, as you spoke.

Arise and go out - He said: In the past, you were servants of Pharaoh. From this time forward, you are servants of the L-rd — whereupon they exclaimed (*Psalms* 113:1): “Hallelukah! Give praise, O servants of the L-rd” — servants of the L-rd, and not servants of Pharaoh! (*Yerushalmi Pesachim* 5:5).<sup>214</sup>

12:34 And the people took their dough before it leavened, their [matzoh and maror] remnants bound up in their clothes, upon their shoulders.

upon their shoulders - Did they not have animals? Is it not written (38):

“And also a mixed multitude went up with them, and sheep and cattle”? [They did so] because they loved the matzoth (*Mechilta*).<sup>215</sup>

12:36 And the L-rd placed the favor of the people in the eyes of Egypt, and He made them lend; and they emptied out Egypt.

And He made them lend - R. Ammi said: This teaches us that He made them lend against their will. Some say: against the will of the Egyptians; others, against the will of the Jews [because of the burden that this imposed] (*Berachoth* 9b).<sup>216,217</sup>

and they emptied out [vayenatzlu] Egypt - R. Ammi said: They made it as a net [*metzudah*] without corn [which is “empty” of birds]. Resh Lakish said: They made it as a wave [*metzulah*] without fish (*Ibid.*).<sup>218</sup>

and they emptied out Egypt - R. Yehudah said in the name of Shmuel: All the silver and gold in the world was accumulated by Joseph and brought to Egypt, as it is written (*Genesis* 47:15): “And Joseph gathered up all the silver that was found.” And when the Jews went up out of Egypt, they took it up with them, as it is written: “and they emptied out Egypt” (*Pesachim* 119a).<sup>219</sup>

12:40 And the sojourning of the Jews, their dwelling in Egypt, was four hundred and thirty years.

And the sojourning of the Jews, etc. The Rabbis taught: When the sons of Egypt came to dispute with the Jews, they said to them: “Return to us the silver and gold that you took.” At this, Geviha ben Pasissa said: It is written: “And the sojourning of the Jews ... was four hundred and thirty years.” Give us the wages of six hundred thousand laborers for four hundred and thirty years. The Egyptians could find no answer for this, and they fled (*Sanhedrin* 91a).<sup>220</sup>

their dwelling in Egypt - Once King Ptolemy assembled seventy-two elders in seventy-two different houses and told each of them: “Transcribe for me [into Greek] the Torah of Moses your teacher.” The Holy One Blessed be He placed goodly counsel into the heart of each of

them, and they all wrote as one: "And the sojourning of the Jews, their dwelling in Egypt and in the other lands, was four hundred years" [for they were not in Egypt per se 430 years] (*Megillah* 9a).<sup>221</sup>

12:41 And it was at the end of four hundred and thirty years, and it was on this very day, that all the hosts of the L-rd went out of the land of Egypt.

and it was on this very day - Why "on this very day" connoting "in broad daylight"? Because the Egyptians said: If we are aware of it, we will not let them go, the Holy One Blessed be He said: I am going to take them out in the middle of the day; let anyone who has the power to stop Me come and do so! (*Sifrei Ha'azinu* 32:48).<sup>222</sup>

12:42 It is a night of guarding for the L-rd to take them out of the land of Egypt. It is this night for the L-rd, a guarding for all the children of Israel throughout their generations.

a night of guarding - [What is "a night of guarding"?] R. Yehoshua says: A night which has been "guarded" from the six days of creation for redemption. R. Eliezer says: A night which is guarded against destructive agents (*Rosh Hashanah* 11b).<sup>223,224</sup>

guarding ... throughout their generations - This teaches us that all of Israel must guard themselves upon it (*Mechilta*).<sup>225</sup>

12:43 And the L-rd said to Moses and Aaron: This is the statute of the Pesach offering: no stranger may eat of it.

no stranger - Both a heretical Jew and a gentile are implied, as it is written (*Ezekiel* 44:9): "No stranger, circumcised of *heart*" (*Ibid.*).<sup>226</sup>

no stranger may eat of it - This tells me only of the Paschal lamb of Egypt. Whence is it derived that the same applies for the Paschal lamb of all the generations? From (13:5): "And you shall perform this service on this month" — All the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Pesachim* 96a).<sup>227</sup>

no stranger may eat of it - [What is the intent of “of it”]? Heresy is a disqualification for eating *it*, but not for eating *terumah* (*Ibid.*).<sup>228</sup>

12:44 And every man-servant, acquired by money — you shall circumcise him; then he shall eat of it.

**And every man-servant** - This tells me only of a man-servant. Whence do I derive the same [ruling] for a maid-servant [i.e., that she, too, eats of the Paschal lamb]? From: “acquired by money.” If so, why is it written “man”? To exclude a minor (*Mechilta*).<sup>229</sup>

**then he shall eat of it** - I might think that he does not eat of the Paschal lamb of Egypt, but that he does eat of the Paschal lamb of all the generations. It is, therefore, written (13:5); “And you shall perform this service on this month” — All the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Pesachim* 96a).<sup>230</sup>

**then he shall eat of it** - [What is the intent of “of it”]? The [non-] circumcision of his males and his servants prevents him from eating *it*; but the [non-] circumcision of his males and his servants does not prevent him from eating *terumah* (*Ibid.*).<sup>231</sup>

**then he shall eat of it** - This tells me only of the time of *eating* [i.e., that his servant must be circumcised in order for him (the owner) to eat it]. Whence do I derive the same for the time of *doing* [i.e., that his servant must be circumcised in order for him to slaughter it]? From (48): “And if there live with you a stranger, and he would offer a Pesach offering to the L-rd, let all his males be circumcised, and *then* he shall draw near to offer it.” We derive it [i.e., that the servant must be circumcised in order for the owner to eat] by way of “*then*” [here, in respect to a servant] - “*then*” [there, in respect to a stranger] (*Yevamoth* 71a).<sup>232</sup>

**then he shall eat of it** - [Who shall eat of it]? His master. This teaches us that [non-] circumcision of his servants prevents him from eating the Pesach offering (*Mechilta*).<sup>233</sup>

12:45 A sojourner and a hired man shall not eat of it.

**A sojourner and a hired man** - “A sojourner” — this is a *ger-toshav*

[i.e., one who does not convert fully, but who undertakes not to serve idols and to observe the seven Noahide laws]; “a hired man” — this is an idolator (*Ibid.*).<sup>234</sup>

**shall not eat of it** - This tells me only of the Paschal lamb of Egypt. Whence is it derived that the same applies for the Paschal lamb of all the generations? From(13:5): “And you shall perform this service on this month” — All the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Pesachim* 96a).<sup>235</sup>

**shall not eat of it** - [What is the intent of “of *it*”?] Heresy is a disqualification for eating *it*, but not for eating *ma'aser* [tithes] (*Ibid.*).<sup>236</sup>

12:46 In one house shall it be eaten. Do not take from the house of the flesh outside. And a bone shall you not break in it.

**In one house shall it be eaten** - The Paschal lamb may be eaten in two groups. I might think that one who has already begun to eat may eat it in two places; it is, therefore, written: “In one house shall it be eaten” (*Ibid.* 86a).<sup>237</sup>

**Do not take** - R. Ammi said: One who takes flesh of the Paschal lamb from group to group is not liable until he puts it down. Why so? For “taking” is written in this regard, as it is in respect to the Sabbath. Just as with the Sabbath, he is not liable until he lifts the object and sets it down, so, here, he is not liable until he lifts [the flesh] and sets it down (*Ibid.* 85b).<sup>238</sup>

**from the house** - This tells me only of [the prohibition of taking it] from house to house. Whence do I derive the same for [taking it] from group to group [once he has begun eating in one group]? From: “outside” — outside of [the original place of] his eating (*Ibid.*).<sup>239</sup>

**from the house** - [If it is written: “outside,” why must it also be written: “from the house”?] R. Ammi said: To teach that if he took out two olive-sizes from group to group, he is twice liable; once for: “Do not take from the house,” and, again, for: “Do not take outside” (*Yerushalmi Pesachim* 7:13).<sup>240</sup>

of the flesh outside - [Create an “outside” of the place of its eating (i.e., Provide clear lines of demarcation between two groups eating alongside each other)] (*Pesachim* 85b).<sup>241</sup>

**And a bone shall you not break in it** - One who breaks a bone of an unclean Paschal lamb does not transgress [“And a bone, etc.”]; for it is written: “and a bone shall you not break in *it*” — in one that is fit [for eating], and not in one that is unfit (*Ibid.* 84a).<sup>242</sup>

**And a bone shall you not break in it** - Both a bone that has an olive-size of meat in the place of the break; both a bone that does not have an olive-size of meat in the place of the break — one is liable for breaking it (*Ibid.*).<sup>243</sup>

**And a bone shall you not break in it** - This tells me only of the Paschal lamb of Egypt. Whence is it derived that the same applies for the Paschal lamb of all the generations? From (13:5): “And you shall perform this service on this month” — All of the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Ibid.* 96a).<sup>244</sup>

**And a bone shall you not break in it** - It was taught: R. Shimon b. Menassia says: Both a bone that does contain marrow and one that does not contain marrow [may not be broken]. And why should the positive commandment [of: “And you shall eat the flesh”] not countermand the negative commandment [of: “And a bone shall you not break in it”]? Rava said: From here we derive that a positive commandment does not countermand a negative commandment in the realm of the consecrated (*Zevachim* 97b).<sup>245,246</sup>

**And a bone shall you not break in it** - One who breaks a bone of the Paschal lamb while it is still day is liable [though the time for eating it has not yet arrived]. Why so? “And a bone shall you not break in it” — in all circumstances (*Yerushalmi Pesachim* 7:2).<sup>247</sup>

**And a bone shall you not break in it** - in *it*, and not in other consecrated food (*Mechilta*).<sup>248</sup>

12:47 The entire congregation of Israel shall offer it.

The entire congregation of Israel - What is the intent of this? I might

think that just as the Paschal lamb of Egypt was taken for each individual family, so, the Paschal lamb of all the generations; it is, therefore, written: "The entire congregation of Israel [in groups of any kind (not necessarily family groups)] shall offer it" (*Ibid.*).<sup>249</sup>

12:48 And if there live with you a stranger, and he would offer a Pesach offering to the L-rd, let all his males be circumcised, and then he shall draw near to offer it. And he shall be as the citizen of the land; and no uncircumcised one shall eat of it.

**let all his males be circumcised** - If he had before him [to be performed] the circumcision of his son and the slaughtering of his Paschal lamb, which takes precedence? R. Pinchas said: From: "let all his males be circumcised, and then he shall draw near to offer it," it is obvious that the circumcision of his son takes precedence to the slaughtering of his Paschal lamb (*Yerushalmi Pesachim* 3:7).<sup>250</sup>

**let all his males be circumcised** - This teaches us that [non-]circumcision of his males prevents him from slaughtering the Paschal lamb (*Mechilta*).<sup>251</sup>

**and then he shall draw near to offer it** - This tells me only of the time of *doing* [i.e., that his males must be circumcised in order for him to slaughter it]. Whence do I derive the same for the time of *eating* [i.e., that his males must be circumcised in order for him to eat it]? From (44): "And every man-servant, acquired by money — you shall circumcise him; *then* he shall eat of it." We derive it [i.e., that his males must be circumcised in order for him to eat it] by way of "*then*" [here, in respect to a stranger] - "*then*" [there, in respect to a servant] (*Yevamoth* 71a).<sup>252</sup>

**and then he shall draw near to offer it** - It is written here: "*then* he shall draw near to offer it," and, elsewhere (44); "*then* he shall eat of it." Just as there, he must be fit [i.e., circumcised] at the time of eating; so, here, he must be fit at the time of slaughtering [to exclude (from eating) one who was circumcised between slaughtering and eating] (*Yerushalmi Pesachim* 8:6).<sup>253</sup>

**and no uncircumcised one** - It is necessary to write both “uncircumcised one” and (43) “stranger.” For if only “uncircumcised one” were written, I might think [that he is banned from the Pesach offering] because he [i.e., one in an uncircumcised state] is repugnant [but a circumcised stranger perhaps would not be banned]; and if only “stranger” were written, I might think [that he is banned] because he is not G-d-fearing, but an uncircumcised Jew, who is G-d-fearing, perhaps would not be banned. It is, therefore, necessary to write both (*Pesachim* 96a).<sup>254</sup>

**no uncircumcised one shall eat of it** - This tells me only of the Paschal lamb of Egypt. Whence is it derived that the same applies for the Paschal lamb of all the generations? From (13:5): “And you shall perform this service on this month” — All of the services of this month must be as this one [i.e., the Paschal lamb of Egypt] (*Ibid.*).<sup>255</sup>

**no uncircumcised one shall eat of it** - [What is the intent of “of it”?] He may not eat of *it*, but he may eat of matzoh and maror (*Ibid.*).<sup>256</sup>

12:49 One Torah shall there be for the citizen and for the stranger that lives among you.

**One Torah** - What is the intent of this? Is it not already written (48): “And he shall be as the citizen of the land”? Scripture is hereby [by “One Torah”] equating a stranger [i.e., a convert] with a citizen in respect to all the *mitzvot* of the Torah (*Mechilta*).<sup>257</sup>

13:2 Sanctify unto Me every first-born, the opener of each womb, among the children of Israel in man and in beast; it is Mine.

**Sanctify unto Me** - From here it is derived that the first-born were sanctified in the desert [even before the entry into Eretz Yisrael] (*Bechoroth* 4b).<sup>1</sup>

**every first-born** - “every” [lit., “all of the”] first-born [among the children of Israel] — the implication being that if a gentile owns aught of it, it is exempt from the *mitzvah* of the first-born] (*Ibid.* 3a).<sup>2</sup>

**every first-born** - I might think even a female; it is, therefore, written (*Deuteronomy* 15:19): "the male shall you sanctify." If "male" [i.e., if that alone] were written, I might think [that it is to be sanctified] even if a female preceded it; it is, therefore, written: "the opener of each womb" (*Ibid.* 19a).<sup>3</sup>

**every first-born** - I might think [that it is to be sanctified] even if it were born after a Caesarian delivery; it is, therefore, written: "first-born" (*Ibid.*).<sup>4</sup>

**the opener of each womb** - If the daughter of a Levite gave birth to a first-born, he is exempt from [redemption by] five shekels. Why so? For it is written: "the opener of each womb." It is the opening of the *womb* which is the critical factor [and not the status of the father; so that in this instance, though the father may be an Israelite, the *womb* is that of a Levite (for which there is no obligation of redemption)] (*Ibid.* 47a).<sup>5</sup>

**the opener of each womb** - What is delivered by Caesarian section is not deemed "first-born." Why so? For it is written: "the opener of each womb." Scripture makes "first-born" contingent upon the opening of the womb (*Ibid.* b).<sup>6</sup>

**among the children of Israel** - One who buys the fetus of a cow belonging to a gentile [the fetus emerging as a first-born male] and one who sells it to him (though this [i.e., to sell a "large beast" to a gentile] is forbidden); or one who is a partner with him [in the cow], or receives it from him [to care for, receiving its calves as compensation], or who gives it to him [on the above terms] — all such are exempt from the obligation of the first-born, it being written: "among the children of Israel," and not among others (*Ibid.* 13a).<sup>7-9</sup>

**in man and in beast** - Where "in man" obtains, "in beast" obtains — to exclude the Levites, who, not being bound by "in man," are not bound by "in beast" (*Mechilta*).<sup>10</sup>

**in man and in beast** - Human first-born are being likened to animal first-born, and animal first-born to human first-born. Just as human first-born are cared for thirty days and may be given [to the priest] wherever desired [whether in Eretz Yisrael or outside it], so, animal first-born; and just as with animal first-born, miscarriages exempt one

from the obligation of the first-born [after the miscarriage], so with human first-born (*Ibid.*).<sup>11,12</sup>

it is Mine - Why is this written? Because it is written (*Deuteronomy* 15:19): "Every first-born ... shall you sanctify to the L-rd your G-d," I might think that if he does not sanctify him, he is not consecrated; it is, therefore, written: "it is Mine" — in any event. Why, then, is it written: "shall you sanctify"? Sanctify him in order to receive reward (*Ibid.*).<sup>13</sup>

13:3 And Moses said to the people: Remember this day on which you went out of Egypt, from the house of bondage; for with might of hand did the L-rd take you out from here, and *chametz* shall not be eaten.

**Remember this day** - It is a positive commandment of the Torah to recount the miracles and wonders wrought for our forefathers in Egypt on the night of the fifteenth of Nissan; for it is written: "Remember this day on which you went out of Egypt," just as it is written (20:8): "Remember the day of Sabbath" (Rambam 7:1, *Hilchoth Chametz*).<sup>14</sup>

**and chametz shall not be eaten** - Chizkiah said: Whence is it derived that no benefit may be derived from *chametz* on Pesach? From: "and *chametz* shall not be eaten" — There shall be no [room for a] license for eating [such as by permitting derivation of benefit] (*Pesachim* 21b).<sup>15</sup>

**and chametz shall not be eaten** - It was taught: R. Yossi Haglili says: Whence is it derived that the prohibition of *chametz* in the Pesach of Egypt was for one day only? From: "and *chametz* shall not be eaten," followed by: "*This day* you go out" (*Ibid.* 28b).<sup>16</sup>

**and chametz shall not be eaten** - "shall not be eaten" — even by dogs. How is this to be understood? If [that it is not to be eaten] by his own dogs, [this is obvious,] for he would be deriving benefit. It must mean, then, even dogs of others; and it is to be understood thus: It is forbidden to feed *chametz* even to animals of *hefker* [i.e., unowned animals] (*Yerushalmi Pesachim* 2:1).<sup>17</sup>

**and chametz shall not be eaten** - "shall not be eaten" — to render the feeder [i.e., adults who feed minors] as [liable for] the fed (*Mechilta*).<sup>18</sup>

13:4 This day you go out in the month of the spring.

in the month of the spring - a month of equable climate: not too hot, and not rainy (*Ibid.*).<sup>19</sup>

13:5 And it shall be, when the L-rd brings you to the land of the Canaanite, the Hittite, the Emorite, the Chivite, and the Jebusite, which He swore to your forefathers to give to you, a land flowing with milk and honey, then you shall perform this service on this month.

then you shall perform, etc. - "then you shall perform this service on this month" — All of the services of this month must be as this one [i.e., the Paschal lamb of Egypt]. From here it is derived that the Paschal offering of all the generations, too: [must be either lamb or kid], must be inspected [for blemishes] four days before it is slaughtered, may not be eaten raw and cooked, must be eaten at night only, must not be eaten by one who is uncircumcised, by a stranger, by a sojourner, and by a hired man [who is an idolator], and must not have any of its bones broken [in eating] (*Pesachim* 96a).<sup>20,21</sup>

then you shall perform, etc. - "then you shall perform this service on this month" — All of the services of this month must be as this one [i.e., the Paschal lamb of Egypt]. From here it is derived that just as the Paschal lamb of Egypt is taken from non-consecrated animals [there having been no consecrated animals at that time], so, the Paschal lamb of all the generations (*Menachoth* 82b).<sup>22</sup>

13:7 Matzoth shall be eaten the seven days; and *chametz* shall not be seen to you, and *se'or* shall not be seen to you in all of your boundaries.

the [eth] seven days - "*eth*" - to include the prohibition of *chametz* on the fourteenth day, from the sixth hour on (*Mechilta*).<sup>23</sup>

and *chametz* shall not be seen to you - You may not see what is yours, but you may see that of others and that of Heaven [i.e., of the Temple domain] (*Pesachim* 5b).<sup>24</sup>

**and chametz shall not be seen to you** - [And what is the forbidden quantity?] Beth Hillel says: It is an olive-size, both for *chametz* [leavened food] and for *se'or* [leaven itself] (*Beitzah* 7b).<sup>25</sup>

**and chametz shall not be seen to you** - It is permitted to derive benefit from the *chametz* of a gentile which was present during the Pesach; but it is forbidden to derive benefit from the *chametz* of a Jew which was present during the Pesach, it being written: "and *se'or* shall not be seen to you" (*Pesachim* 28a).<sup>26</sup>

**in all of your boundaries** - It is written here, in respect to boundaries: "*se'or*," and, in respect to houses (12:19): "*se'or* shall not be found in your houses." Just as with the *se'or* of houses it is forbidden to: see, find, hide, and receive deposits from gentiles; so, with the *se'or* of boundaries (*Ibid.* 8b).<sup>27</sup>

**in all of your boundaries** - I might think "boundaries," literally; it is, therefore, written (12:19): "houses" — Just as houses are in your possession, so "your boundaries" [refers to those that are] in your possession (*Mechilta*).<sup>28</sup>

13:8 And you shall tell your son on that day, saying: Because of this, the L-rd wrought for me when I went out of Egypt.

**And you shall tell your son** - I might think [that it should be recounted] from Rosh Chodesh [when they were exhorted concerning the Paschal lamb]; it is, therefore, written: "on that day." If [only] "on that day" [were written], I might think [that it should be recounted] in the daytime; it is, therefore, written: "Because of *this*" — I mean it to be said only when matzoh and maror are found on your table (*Mechilta*).<sup>29</sup>

**And you shall tell your son** - This tells me only of one who has a son. Whence do I derive [that it is to be recounted even] if one has no son; [even as a dialogue carried on] by oneself; [even] between himself and others? From (3): "And Moses said to the people: Remember this day" (*Ibid.*).<sup>30</sup>

**the L-rd wrought for me** - In every generation one must look upon himself as if *he* were delivered from Egypt, as it is written: "Because of

this the L-rd wrought for *me* when I went out of Egypt" (*Pesachim* 116b).<sup>31</sup>

13:9 And it shall be to you as a sign upon your hand and as a remembrance between your eyes, so that the Torah of the L-rd be in your mouth; for with a mighty hand did the L-rd take you out of Egypt.

And it shall be to you as a sign - The Rabbis taught: The hand phylactery is written on one parchment, it being written: "And it shall be to you as a sign upon your hand" — Just as it is one sign [i.e., one compartment] on the outside, so must it be one sign [i.e., one parchment] on the inside (*Menachoth* 34b).<sup>32</sup>

And it shall be to you as a sign - It was taught: R. Akiva said: I might think that one should don tefillin on Sabbaths and festivals [as well as on the weekdays]; it is, therefore, written: "And it shall be to you as a sign" — for those [days] which require a sign [i.e., the weekdays], to exclude Sabbaths and festivals, which are themselves signs (*Ibid.* 36b).<sup>33</sup>

And it shall be to you as a sign - "to *you* as a sign," and not to *others* as a sign. From here it is derived that the hand tefillin are placed on the upper arm [and not in the palm of the hand where they are visible to all] (*Ibid.* 37b).<sup>34</sup>

upon your hand - The Rabbis taught: "your hand" — this refers to the left hand. But perhaps the right hand is meant? [This is negated by] (*Isaiah* 48:13): "My hand also has founded the earth, and My right hand has spanned the heavens," which indicates that "hand" alone is the left hand] (*Ibid.* 36b).<sup>35</sup>

upon your hand - It was taught in the school of Menashe: "upon your hand" — this refers to the biceps muscle (*Ibid.* 37a).<sup>36</sup>

upon your hand - The Rabbis taught: "upon your hand" — this refers to the upper arm. But perhaps the hand itself [i.e., the palm] is meant? [This is negated by] (*Deuteronomy* 11:18): "And you shall place these words upon your hearts ... and you shall tie them" — the "placing" must be alongside the heart [i.e., on the upper arm] (*Ibid.* b).<sup>37</sup>

**and as a remembrance between your eyes** - The Rabbis taught: I might think they were to be written on four parchments and placed in four compartments of four [individual] skins; it is, therefore, written: "and as a remembrance between your eyes" — I mean *one* remembrance, and not two or three remembrances. How is this [i.e., (13:16); "and as frontlets (implying *many* signs) between your eyes," and: "and as a remembrance between your eyes"] to be reconciled? He writes them on four parchments and places them in four compartments [contained] in one skin (*Ibid.* 34b).<sup>38</sup>

**and as a remembrance between your eyes** - [First: "upon your hand," and then: "between your eyes"] whence it is derived: When he dons them, he dons the hand phylactery first; and when he removes them, he removes the head phylactery first (*Mechilta*).<sup>39</sup>

**between your eyes** - It was taught in the school of Menashe: "between your eyes" — this refers to the skull. Where [on the skull]? The school of R. Yannai taught: the place where the infant's brain pulsates (*Menachoth* 37a).<sup>40</sup>

**between your eyes** - This is the top of the head. But perhaps the intent is, literally: "between your eyes"? [This cannot be, for] it is written here: "between your eyes," and, elsewhere (*Deuteronomy* 14:1); "And do not make a bald spot between your eyes for the dead" — Just as there, the top of the head, where baldness occurs, is intended; here, too, the top of the head, where baldness occurs, is intended (*Ibid.*).<sup>41</sup>

**so that the Torah of the L-rd be** - Women are exempt from all time-oriented positive commandments, it being written: "so that the Torah of the L-rd be in your mouth." The entire Torah is hereby being likened to tefillin, viz.: Just as women are exempt from tefillin, which is a time-oriented positive commandment, so are they exempt from all time-oriented positive commandments (*Kiddushin* 35a).<sup>42</sup>

**so that the Torah of the L-rd be** - A Torah scroll [whose parchment sections were] sewn together by flax is not valid, it being written: "so that the Torah of the L-rd be in your mouth." The entire Torah is hereby being likened to tefillin, viz.: Just as it is a "*halachah* to Moses from Sinai" to sew the tefillin with tendon threads, so it is a *mitzvah* to sew the entire Torah with tendon threads (*Makkoth* 11a).<sup>43</sup>

so that the Torah of the L-rd be - Minors are exempt from the reciting of the *Shema* and from tefillin, it being written: “so that the Torah of the L-rd be in your mouth” — perpetually in your mouth [which is inapplicable to minors] (*Yerushalmi Berachoth* 3:3).<sup>44</sup>

so that the Torah of the L-rd be - Women are exempt from tefillin, it being written: “so that the Torah of the L-rd be in your mouth.” [The *mitzvah* of tefillin, then, applies to] one who is obligated to study Torah, to exclude women, who are exempt from Torah-study (*Mechilta*).<sup>45</sup>

so that the Torah of the L-rd be - From here it is derived that one who dons tefillin is comparable to one who is reading in the Torah, and that one who is reading in the Torah is exempt from tefillin (*Ibid.*).<sup>46</sup>

in your mouth - from what is “permitted in your mouth.” From here it is derived that tefillin may be written only on the parchment of a clean beast (*Shabbath* 108a).<sup>47</sup>

13:10 And you shall keep this statute, in its time, from day to day.

And you shall keep - R. Yochanan said: All who don tefillin after sunset transgress a negative commandment, it being written: “And you shall keep this statute”; and wherever “keep” is written, a negative commandment is understood, even when it is stated as a positive commandment (*Menachoth* 36b).<sup>48</sup>

And you shall keep - From here it is derived (*Succah* 42a): If a minor is capable of observing the cleanliness demanded by tefillin, his father should provide him with tefillin (*Mechilta*).<sup>49</sup>

from day to day - [Tefillin are to be worn] “days,” and not nights; “from days,” and not all days — to exclude Sabbaths and festivals. These are the words of R. Yossi Haglili (*Menachoth* 36b).<sup>50</sup>

13:11 And it shall be, when the L-rd brings you to the land of the Canaanite as he swore to you and to your forefathers, and gives it to you,

And it shall be, when the L-rd brings you - What is the intent of "bringing" [into Eretz Yisrael] in connection with tefillin and with the first-born of an ass? It is needed for the teaching of the school of R. Yishmael, viz.: Do this *mitzvah*; for in its merit, you will enter Eretz Yisrael (*Kiddushin* 37b).<sup>51,52</sup>

13:12 And you shall set apart every firstling of the womb for the L-rd; and every firstling delivered by a beast, which shall be to you, the males are the L-rd's.

And you shall set apart - [What had been set aside as] a Paschal lamb, if slaughtered as a first-born the other days of the year, is not considered a first-born. Whence is this derived? In respect to the first-born it is written: "And you shall set apart," and, in respect to *ma'aser* [tithes] it is written (*Leviticus* 27:32): "Everything that shall be set apart." Just as with *ma'aser*, the tenth is consecrated, and no other is consecrated; so with the first-born: *This one* is the first-born, and no other is the first-born (*Zevachim* 9a).<sup>53</sup>

And you shall set apart [*veha'avarta*] - "*ha'avarah*" signifies setting apart, as it is written (*Numbers* 27:8): "And you shall set apart [*veha'avartem*] his inheritance for his daughter" (*Mechilta*).<sup>54</sup>

delivered by a beast - "delivered by a beast" — to include miscarriages as consecrated (*Bechoroth* 3b).<sup>55</sup>

13:13 And every firstling of an ass shall you redeem with a lamb; and if you do not redeem it, then you shall break its neck. And every human first-born among your sons shall you redeem.

And every firstling of an ass - If a cow gave birth to an ass-like animal, or if an ass gave birth to a horse-like animal, it [the offspring] is exempt from [the *mitzvah* of] the first-born; for it is written twice; "firstling of an ass" [here and 34:20] — Both the bearer and that which is born must be an ass (*Ibid.* 5b).<sup>56</sup>

shall you redeem - "shall you redeem," "shall you redeem," twice [here

and 34:20]; “shall you redeem” — immediately [and not after thirty days as with a human first-born]; “shall you redeem” — [with a lamb] of any value (*Ibid.* 10b).<sup>57</sup>

**shall you redeem with a lamb** - It is not to be redeemed with a calf, or an animal [as opposed to a “beast”], or a slaughtered lamb, or a *treifah* [a lamb with an organic defect], or a hybrid, or a *koi* [a herbivore of undetermined genus — animal or beast]. Whence is this derived? It is written here: “lamb,” and, in respect to the Pesach offering: “lamb.” Just as with the Pesach offering, the above categories are excluded, so, here, they are excluded. In that case, [why do I not say:] just as there, a male, unblemished, of the first year; here, too, a male, unblemished, of the first year! Because it is written [twice] “shall you redeem,” “shall you redeem” [for extension of inclusion (of redemption by any kind of lamb)] (*Ibid.* 12a).<sup>58,59</sup>

**and if you do not redeem it, then you shall break its neck** - This teaches us that the *mitzvah* of redemption takes precedence to that of breaking its neck (*Ibid.* 13a).<sup>60</sup>

**then you shall break its neck** - It is written here: “breaking,” and, in respect to the heifer of the broken neck (*Deuteronomy* 21:4): “breaking.” Just as no benefit may be derived from the heifer of the broken neck, so no benefit may be derived from the firstling of an ass (*Ibid.* 10b).<sup>61</sup>

13:14 And it shall be, if your son asks you on the morrow, saying: What is this? Then you shall say to him: With might of hand did the L-rd take us out of Egypt, from the house of bondage.

**if your son asks you** - I might think: If he asks you, tell him; and if he does not ask you, do not tell him — it is, therefore, written (8): “And you shall tell your son” (*Mechilta*).<sup>62</sup>

13:16 And it shall be as a sign upon your hand and as frontlets between your eyes, for with might of hand did the L-rd take us out of Egypt.

upon your hand - "upon your hand" — to include one with a stump (*Menachoth* 37a).<sup>64</sup>

and as frontlets [letotafoth] - The Rabbis taught: The word "*letotafoth*" is written three times [here, *Deuteronomy* 6:8, and *Deuteronomy* 11:18]), twice defective and once *plene*, giving us a total of four [alluding to the four sections of the head phylactery]. These are the words of R. Yishmael. R. Akiva says: [The allusion is found in the word itself,] "*tor*" in Coptic being two, and "*foth*" in Phrygian being two (*Ibid.* 34b).<sup>65 66</sup>

## **Beshalach**

13:17 And it was, when Pharaoh sent out the people, that the L—rd did not lead them by way of the land of the Philistines. For G-d said: Lest the people repent when they see war, and they return to Egypt.

And it was, when Pharaoh sent out - "Sending" here is "accompanying." And how was he rewarded for this? (*Deuteronomy* 23:8): "Do not despise an Egyptian" (*Mechilta*).<sup>67</sup>

13:18 And G-d led the people by way of the wilderness to the Red Sea; and *chamushim* did the children of Israel go up out of the land of Egypt.

And *chamushim* did the children of Israel go up - This teaches us that they were armed with fifteen types of weapons [the root of *chamushim* being "five"] (*Yerushalmi Shabbath* 6:7).<sup>68</sup>

13:19 And Moses took the bones of Joseph with him, for he had made the children of Israel swear, saying: G-d will surely remember you; and you shall bring up my bones from here with you.

And Moses took - "With the measure that one measures, so is it measured out to him." Moses appropriated the merit [of looking after] the bones of Joseph, as it is written: "And Moses took the bones of Joseph." And there was none in Israel greater than he; accordingly, he, likewise, merited that the Holy One Himself occupy Himself with him [i.e., with his burial], as it is written (*Deuteronomy* 34:6): "And He buried him (*Sotah* 9b)."<sup>69</sup>

**And Moses took** - One verse states: "And *Moses* took the bones of Joseph," and, another (*Joshua* 24:32): "And the bones of Joseph which the *children of Israel* brought up from Egypt they buried in Shechem." The two verses contradict each other! R. Chamma b. Chanina said [in reconciliation]: If one begins something, but does not complete it, and another comes and completes it, Scripture relates to the latter as having performed the entire action (*Ibid.* 13b).<sup>70,71</sup>

**with him** - One who became unclean by contact with a dead body, and even the body itself, may enter the Levite encampment, as it is written: "And Moses took the bones of Joseph with him." "with him" — in his domain; "with him" — in the Levite encampment (*Nazir* 45a).<sup>72,73</sup>

**with him** - R. Krospi said in the name of R. Yochanan: "And Moses took the bones of Joseph with him." [What is the intent of "with him"?] [The thought in Moses' mind was] You are dealing with yourself [in looking after the bones of Joseph (See 69 above)] (*Yerushalmi Sotah* 1:10).<sup>74</sup>

**for he had made the children of Israel swear** - He made them swear that they would make their children swear (*Mechilta*).<sup>75</sup>

13:21 And the L-rd went before them by day in a pillar of cloud to lead them the way, and in a pillar of fire to light them, to go day and night.

**And the L-rd went before them** - From here it is derived that a master may waive the honor due him (*Kiddushin* 32a).<sup>76</sup>

**And the L-rd went before them** - Rava asked Rabbah b. Mari: Whence is derived the proverb: "When we were young, we were as men; now that we are grown old, we are as children"? He answered: In the beginning, it is written: "And the L-rd [Himself] went before them [the young nation] ... to light them" [according them the honor of grown men]; and at the end (*Exodus* 23:20): "Behold, I am sending an angel before you to watch you [as little children] upon the way" (*Bava Kama* 92b).<sup>77</sup>

**And the L-rd went before them** - Onkelos b. Kalonymus converted, and the emperor sent a troop from Rome after him. [When he arrived,] he

said to them: "Let me tell you something in general: The torch-bearer lights the way for the royal litter; the chief *lecticarius* for the *dux*; the *dux* for the *hegemon*; the *hegemon* for the *comes*. But does the *comes* light the way before the people?" They said: "No." Whereupon he said: "But the Holy One Blessed be He *does* light the way before Israel, as it is written: 'And the L-rd went before them ... to light them' " (*Avodah Zarah* 11a).<sup>78,79</sup>

13:22 There will not depart, the pillar of cloud, by day, and the pillar of fire, by night, before the people.

**There will not depart, etc.** - It was taught: "There will not depart, the pillar of cloud, by day, and the pillar of fire, by night" — This teaches us that the pillar of cloud overlapped [in the transition] the pillar of fire, and the pillar of fire overlapped the pillar of cloud (*Shabbath* 23b).<sup>80</sup>

**There will not depart, etc.** - Scripture hereby teaches us proper deportment vis à vis the eve of Sabbath [namely, to add from the non-consecrated (i.e., Friday afternoon) to the consecrated (Sabbath)]. While the pillar of cloud was still in place, the pillar of fire emerged [see above] (*Mechilta*).<sup>81</sup>

14:7 And he took six hundred chosen chariots, and all the chariots of Egypt, three [charioteers] in each.

**six hundred chariots** - Rabbah b. Mari expounded: (*Psalms* 106:7): "And they rebelled at the sea, at the Red sea" — This teaches us that the Jews rebelled at that time, saying: "Just as we are emerging from one side, so the Egyptians are emerging from the other!" At this, the Holy One Blessed be He said to the potentate of the sea: "Disgorge them [the chariots] to the dry land!" Whereupon he answered: "L-rd of the Universe, is there a servant who is given a gift by his master only to have it confiscated?" G-d replied: "I shall return your gift one and a half times over!" Where do we find that He did so? In respect to Pharaoh, it is written: "six hundred chariots," and, in respect to Sisra (*Judges* 4:3): "nine hundred chariots" [were swept up by the flood] (*Pesachim* 118b).<sup>1-3</sup>

three [charioteers] in each - In the beginning, there were only two, as it is written (*Genesis* 41:43): "And he rode him in the double chariot"; Pharaoh arose and made it three, as it is written: "three [charioteers] in each"; and the Roman empire arose and made it four (*Yerushalmi Kelaim* 8:2).<sup>4</sup>

14:11 And they said to Moses: Are there no graves in Egypt that you have taken us to die in the desert! What is this that you have done to us, to take us out of Egypt!

Are there no graves in Egypt - It was taught: R. Yehudah said: This is one of the ten trials by which our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>5</sup>

14:13 And Moses said to the people: Do not fear; stand and you shall see the salvation of the L-rd, which He shall work for you today. For as you have seen Egypt today, you shall no longer see them again, forever.

stand and you shall see - It was taught: Our forefathers resolved themselves into four factions at the Red Sea: One said: Let us fall into the sea; another: Let us return to Egypt; another: Let us wage war with them; and another: Let us cry out [to the L-rd] against them. To those who said: Let us fall into the sea, Moses said: "Stand and you shall see the salvation of the L-rd." To those who said: Let us return to Egypt, Moses said: "For as you have seen Egypt today, you shall no longer see them again." To those who said: Let us wage war against them, Moses said: "The L-rd will wage war for you." And to those who said: Let us cry out against them, Moses said: "And you shall be still" (*Yerushalmi Ta'anith* 2:5).<sup>6</sup>

you shall no longer see them - R. Shimon b. Yochai taught: This is one of the three places in which the Jews were exhorted not to return to Egypt (*Yerushalmi Succah* 5:1).<sup>7</sup>

14:15 And the L-rd said to Moses: Why do you cry out to Me! Speak to the children of Israel and have them go forward!

**Why do you cry out to Me!** - At that time Moses was long in his prayer, whereupon the Holy One Blessed be He said to Him: "My loved ones are drowning in the sea and you prolong your prayer!" At this Moses asked: "What, then, shall I do?" And G-d answered: "Speak to the children of Israel and have them go forward. And you, lift up your staff and stretch forth your arm ... " (*Sotah* 37a).<sup>8</sup>

**14:20** And it came between the camp of Egypt and the camp of Israel. And it was cloud and darkness, and it lit up the night. And one did not approach the other the entire night.

**And one did not approach, etc.** - R. Yochanan said: "And one did not approach the other the entire night" — The ministering angels sought to sing praise [by congregating in an angelic choir], at which the Holy One Blessed be He said to them: "The work of My hands is drowning in the sea, and you would sing!" [saying which, He did not allow one company of angels to approach the other (thus, the verse)] (*Megillah* 10b).<sup>9</sup>

**14:22** And the children of Israel came in the midst of the sea on the dry land; and the sea to them was a wall, on their right and on their left.

**in the midst of the sea** - The Rabbis taught: One who sees the place where the Jews crossed the sea must give praise and thanks to the Holy One Blessed be He, as it is written: "And the children of Israel came in the midst of the sea on the dry land" (*Berachoth* 54a).<sup>10</sup>

**14:27** And Moses stretched forth his hand upon the sea, and the sea returned towards morning to its strength. And Egypt rushed towards it, and the L-rd shook out Egypt in the midst of the sea.

**And Egypt rushed towards it** - From here it is seen that even though the Holy One Blessed be He swore not to bring a flood to the world [after that of Noah], *He* will not do so; but *they* came forward and fell into it

of themselves, as it is written: "And Egypt rushed towards it" (*Sotah* 11a).<sup>11</sup>

**and the L-rd shook out** - It was taught in the name of R. Yehoshua b. Karchah: Since Pharaoh *himself* blasphemed the L-rd, as it is written (5:2): "And Pharaoh said: Who is the L-rd that I should hearken to his voice," the L-rd *Himself* exacted punishment from him, as it is written: "and the L-rd shook out Egypt in the midst of the sea" (*Sanhedrin* 94b).<sup>12</sup>

**in the midst of the sea** - R. Eliezer and R. Shimon say: The upper and the lower waters shook up the Egyptians, as it is written: "and the L-rd shook out Egypt in the midst of the sea" (*Avoth d'R. Nathan* 3).<sup>13</sup>

14:29 And the children of Israel walked on the dry land in the midst of the sea. And the water was for them a wall, on their right and on their left.

**And the water was for them a wall** - [From here we see that a path was made for the Jews in the midst of the sea] (*Yoma* 4b).<sup>14</sup>

14:30 And the L-rd saved Israel on that day from the hand of Egypt; and Israel saw Egypt dead on the shore of the sea.

**and Israel saw** - Rabbah b. Mari expounded - (*Psalms* 106:7): "And they rebelled at the sea, at the Red Sea" — This teaches us that the Jews rebelled at that time, saying: "Just as we are emerging from one side, so the Egyptians are emerging from the other!" At this, the Holy One Blessed be He said to the potentate of the sea: "Disgorge them to the dry land!" Whereupon it disgorged them to the dry land and the Jews came and beheld them, as it is written: "and Israel saw Egypt dead on the shore of the sea" (*Pesachim* 118b).<sup>15</sup>

14:31 And Israel saw the great hand by which the L-rd wrought against Egypt, and the people feared the L-rd, and they believed in the L-rd and in Moses, His servant.

**the great hand** - R. Shila expounded: (*I Chronicles* 29:11): "Yours, O

L—rd, is the greatness and the strength”: “the greatness” — this is the act of creation; “and the strength” — this is the exodus from Egypt, as it is written: “And Israel saw the great hand” (*Berachoth* 58a).<sup>16</sup>

**the great hand** - What is the intent of “the hand”? The hand that is destined to exact punishment of Sennacherib (*Sanhedrin* 95b).<sup>17</sup>

15:1 Then will sing Moses and the children of Israel this song to the L-rd. And they said, saying: I shall sing to the L-rd, for He is high on high; a horse and its rider has He cast into the sea.

**Then will sing** - R. Meir said: “Then will sing Moses” — It is not written: “sang,” but: “will sing” — This is a Scriptural allusion to the resurrection (*Sanhedrin* 91b).<sup>1</sup>

**Moses and the children of Israel** - R. Yehudah b. Pazzi said in the name of Rabbi: How can we read this and not be confounded [with shame]! For *evil*, it is written (*Numbers* 14:1): “And all the congregation lifted up their voice and they cried” [of themselves, without prompting, in condemnation of Eretz Yisrael]; whereas for *good*, it is written: “Then shall sing Moses and [only *then*] the children of Israel” [in praise of the L-rd] (*Yerushalmi Shekalim* 1:1).<sup>2,3</sup>

**saying** - R. Akiva expounded: What is the intent of: “saying”? This teaches us that the Jews answered Moses responsively, as in the recitation of the *Hallel* (*Sotah* 30b).<sup>4</sup>

**for He is high on high** - Resh Lakish said: “I shall sing to the L-rd, for He is high on high” — Sing to Him who is the highest of the high. As the master said: The king of the animals is the lion; the king of the beasts is the ox; the king of the birds is the eagle; man is exalted above all of them; and the Holy One Blessed be He is exalted above all of these and above the entire universe! (*Chagigah* 13b).<sup>5</sup>

15:2 The L-rd is my strength and my song, and He was my salvation. This is my G-d and I will glorify Him; the G-d of my father, and I will exalt Him.

This is my G-d - R. Avira expounded: In the merit of the righteous women of that generation, Israel was redeemed from Egypt. When they went to draw water, the Holy One Blessed be He would bring little fishes to their pitchers, so that they would draw half-water, half-fishes. This they would feed to their husbands, who would thereby be moved to cohabit with them. When the time came for them to give birth, they would go and give birth in the field, and the Holy One Blessed be He would send them from on high one who would clean and groom them, as a mid-wife grooms the infant. And when the Holy One Blessed be He revealed Himself at the Red Sea, it was they who recognized Him first, as it is written: "This is *my* [i.e., already known to me] G-d" [*Sotah* 11b].<sup>6,7</sup>

This is my G-d - R. Yossi Haglili expounded: How did they sing praise? A child recumbent on his mother's knees, an infant nursing at his mother's breast — when they beheld the Divine Presence, the child raised its neck, the infant dropped the teat from its mouth, and they cried out: "This is my G-d!" As it is written (*Psalms* 8:3): "From the mouths of babes and sucklings have You founded strength!" (*Ibid.* 30b).<sup>8</sup>

This is my G-d - From here it is derived that the Holy One Blessed be He is called: "This!" (*Menachoth* 53b).<sup>9</sup>

This is my G-d - It was taught: R. Eliezer says: Whence is it derived that a maid-servant beheld at the Red Sea what was not beheld by Ezekiel and the other prophets? From: "This is my G-d!" (*Mechilta*).<sup>10</sup>

and I will glorify Him - It was taught: "This is my G-d and I will glorify Him" — *Beautify* yourself [similar to "glorify" in the Hebrew] before Him with *mitzvot*. Set before Him: a beautiful succah, a beautiful lulav, beautiful tzitzith, a beautiful Torah scroll; and write it for His Name's sake: with beautiful ink, with a beautiful quill, by an expert scribe; and wrap it in beautiful silks (*Shabbath* 133b).<sup>11</sup>

and I will glorify Him - Abba Shaul says: "This is my G-d and I will glorify Him" — Emulate Him. As He is gracious and merciful, you, too, be gracious and merciful (*Ibid.*).<sup>12</sup>

and I will glorify Him - The Rabbis taught: It is a *mitzvah* to bind

together [the four species of] the lulav. If, however, he did not bind them together, it is still valid. And what is the *mitzvah*? “This is my G-d and I will glorify Him” (*Succah* 33a).<sup>13</sup>

and I will glorify Him - It was taught: If he [a Torah scribe] had to write the Name [i.e., the Tetragrammaton], and he intended to write “Yehudah” [formed of the same letters as the Tetragrammaton, with the exclusion of the ‘*daleth*’], but he erred and omitted the *daleth* — if he passed the quill over the letters and consecrated it [i.e., intended it as His Name], that Name is not of the choicest kind. Why so? For it falls short of: “This is my G-d and I will glorify Him” (*Gittin* 20a).<sup>14</sup>

15:3 The L-rd is a Man of war; the L-rd is His name.

The L-rd is a Man of war - [From here it is seen that the Holy One Blessed be He is called: “a Man”] (*Sotah* 42b).<sup>15</sup>

The L-rd is a Man of war - R. Chanina b. Pappa expounded: In time to come, all the nations will gather together and say: All that we did, we did only for the sake of Israel. We waged war for the sake of Israel. At this, the Holy One Blessed be He will say to them: It was *I* who waged war, as it is written: “The L-rd is a Man of war” (*Avodah Zarah* 2b).<sup>16</sup>

15:6 Your right hand, O L-rd is awesome in power; Your right hand, O L-rd, breaks the enemy.

awesome in power - R. Chanina b. Pappa asked: In one place it is written: “Your right hand, O L-rd, is awesome in power,” and, in another (*Job* 37:23): “The Almighty — we did *not* find Him exalted in power.” There is no contradiction. The latter verse refers to the time of judgment [in which He attenuates His power, so that mankind can survive], and the former, to the time of war [in which He manifests His power] (*Ibid.* 4a).<sup>17</sup>

15:10 You blew with Your wind; the sea covered them. They sank like lead in the waters, the mighty ones.

in the waters, the mighty ones - [From here we see that the Egyptians are called: "mighty ones"] (*Menachoth* 53a).<sup>18</sup>

15:11 Who is like You in power, O L-rd? Who is like You, exalted in holiness, awesome in praise, working wonders?

Who is like You in power [ba'elim] - It was taught in the school of R. Yishmael: "Who is like You *ba'elim*?" "Who is like You *ba'ilim*?" ["in muteness," i.e., in keeping silent in the face of defamation] (*Gittin* 56b).<sup>19</sup>

exalted in holiness - The Holy One Blessed be He is awesome and exalted in holiness [and not "merely" in strength], as it is written: "Who is like You, exalted in holiness?" (*Yerushalmi Berachoth* 9:1).<sup>20</sup>

15:13 You have led forth in Your mercy this people whom You have redeemed. You have guided them in Your strength to Your holy habitation.

to Your holy habitation - R. Yehudah said in the name of Rav: All who parade themselves in the cloaks of Torah scholars without being Torah scholars are not admitted into the abode of the Holy One Blessed be He, as it is written (*Habakkuk* 2:5): "The proud man shall not *inhabit*," and: "to Your holy *habitation*" [indicating that it is "*Your* habitation" that they shall not inhabit] (*Bava Bathra* 98a).<sup>21</sup>

15:16 Fear and dread shall fall upon them. By the greatness of Your arm they shall be silent as stone. Until they cross over, Your people, O L-rd; until they cross over, this people that You have acquired.

Fear and dread shall fall upon them - It was taught: When Israel crossed the Jordan, no creature could stand up against them; and anyone who presumed to stand against them was immediately undone, as it is written: "Fear and dread shall fall upon them ... Until they cross over, Your people, O L-rd" (*Sotah* 36a).<sup>22</sup>

until they cross over, etc. - It was taught: "Until they cross over, Your

people, O L-rd" — this refers to the first coming [into Eretz Yisrael, in the time of Joshua]; "until they cross over, this people that You have acquired" — this refers to the second coming [in the time of Ezra]. From here the sages derived: A miracle was to be wrought for Israel in the time of Ezra, as it was in the time of Joshua the son of Nun [viz., the splitting of the Jordan], but their sins [i.e., the sins of Israel in the time of Ezra] precluded it [so that they returned not with miracles, but in subjugation to the kings of Persia] (*Ibid.*).<sup>23,24</sup>

**this people** - [From here it is seen that Israel is called: "*this* people"] (*Menachoth* 53b).<sup>25</sup>

**this people that You have acquired** - From here it is seen that Israel is one of the "acquisitions" acquired by the Holy One Blessed be He in His world (*Avoth* 6:10).<sup>26</sup>

15:17 You shall bring them and You shall plant them in the mountain of Your inheritance. An abode for Your dwelling have You made, O L-rd; the sanctuary, O L-rd, which Your hands have established.

**You shall bring them and You shall plant them** - [in Eretz Yisrael]. But, in the end, it is written (25:8): "And let them make Me a sanctuary [in the desert] and I shall dwell in their midst"! [testifying to the great love of the Holy One Blessed be He for Israel (i.e., His "inability to wait" until they reached Eretz Yisrael)] (*Kethuvot* 62b).<sup>27</sup>

**You shall bring them and You shall plant them** - It is not written: "You shall bring *us* and You shall plant *us*," but: "You shall bring *them* [our descendants] and You shall plant *them*" [it being decreed (because of the sin of the spies) that the generation of the desert not enter Eretz Yisrael]. They prophesied without knowing what they were prophesying (*Bava Bathra* 119b).<sup>28</sup>

**An abode for Your dwelling** - "aligned with" Your dwelling. [From here it is derived that the terrestrial holy of holies is aligned with the celestial one] (*Yerushalmi Berachoth* 4:5).<sup>29</sup>

**the sanctuary, O L-rd** - R. Elazar said: Great is the sanctuary, which

“resides” between two Names, as it is written: “An abode for Your dwelling have You made, O *L-rd*; the sanctuary, O *L-rd* ...” (*Berachoth* 33a).<sup>30</sup>

which Your hands have established - Bar Kappara expounded: Greater is the “creation” of the righteous [i.e., what is created by them] than the creation of heaven and earth. For in respect to the latter it is written (*Isaiah* 48:13): “My *hand* [singular], too, has founded the earth,” whereas in relation to the “creation” of the righteous [i.e., the sanctuary] it is written: “the sanctuary, O *L-rd*, which Your *hands* [plural] have established” (*Kethuvoth* 5a).<sup>31</sup>

15:18 The *L-rd* will reign forever and ever.

forever and ever [*va'ed*] - It was taught in the school of R. Eliezer b. Yaakov: “The *L-rd* will reign forever and ever” [*va'ed*] — From here it is derived that wherever “*va'ed*” is written, eternal duration is connoted (*Eruvin* 54a).<sup>32</sup>

15:20 And Miriam the prophetess, the sister of Aaron, took the timbrel in her hand; and all the women went out after her with timbrels and with dances.

the sister of Aaron - Now was she [only] the sister of Aaron and not the sister of Moses! R. Nachman said in the name of Rav: She prophesied when she was the sister of Aaron [i.e., when Moses had not yet been born], saying: “My mother is destined to bear a son, who will be the savior of Israel” — whence we know that Miriam *was* a prophetess [before Moses’ birth] (*Megillah* 14a).<sup>33</sup>

15:22 And Moses led Israel from the Red Sea, and they went out to the desert of Shur; and they traveled three days in the desert and did not find water.

and did not find water - The expounders of allusions say: “water” signifies Torah, as it is written (*Isaiah* 55:1): “Ho, all that thirst, go to the water!” Because they went three days without Torah, they became

fatigued; whereupon the prophets among them arose and ordained that the Torah be read on Sabbaths, Mondays, and Thursdays, so that they never go three days without Torah (*Bava Kamma* 82a).<sup>34</sup>

15:24 And the people railed against Moses, saying: What shall we drink!

And the people railed - It was taught: R. Yehudah said: This is one of the ten trials by which our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>35</sup>

15:25 And he cried to the L-rd, and the L-rd showed him a tree; and he cast it into the water and the water grew sweet. There He made for them statute and ordinance, and there He tried them.

statute and ordinance - From here it is derived that Israel was commanded with respect to observance of the law at Marah (*Sanhedrin* 56b).<sup>36</sup>

15:26 And He said: If you hear, hear, the voice of the L-rd your G-d, and you do what is just in His eyes, and you hearken to His mitzvoth, and you keep all His statutes — then all the sickness which I placed in Egypt, I shall not place upon you; for I am the L-rd who heals you.

If you hear, hear - R. Zeira said: Come and see that the measure of the Holy One Blessed be He is not as that of flesh and blood. The measure of flesh and blood: An empty vessel can be filled; a full vessel cannot be filled. But the measure of the Holy One Blessed be He is different: A full one can be filled; an empty one cannot be filled, as it is written: "If you hear, hear" — If you hear, you shall hear; if not, you shall not hear. Another interpretation: If you have heard [i.e., accepted] the old, you will hear the new; but if your heart has gone astray, you will hear no longer (*Berachoth* 40a).<sup>37,38</sup>

**If you hear, hear** - From here it was said: If one hears [i.e., accepts] one *mitzvah*, he is privileged to hear many *mitzvot*, as it is written: "If you hear, hear" (*Mechilta*).<sup>39</sup>

**and you do what is just in His eyes** - This refers to honesty in business dealings. We are hereby taught that all who are honest in business dealings are held in favor by their fellow men, and looked upon as if they were to have fulfilled the entire Torah (*Ibid.*).<sup>40</sup>

**and you hearken to His mitzvot** - "and you hearken" — Let your ears hear what your mouth says — whence it is derived that one who recites the *Shema* must make it audible to his ears (*Yerushalmi Berachot* 2:4).<sup>41</sup>

**and you hearken to His mitzvot, etc.** - "and you hearken to His *mitzvot*" — this is *Mishnayot*; and you keep all His statutes — these are *halachot* (*Mechilta*).<sup>42</sup>

**and you keep all His statutes, etc.** - "and you keep all His statutes — then all the sickness which I placed in Egypt, I shall not place upon you." From here it is derived that if one occupies himself with Torah, afflictions depart from him (*Berachot* 5a).<sup>43</sup>

**all the sickness, etc.** - One who utters as an incantation over a wound — "all the sickness which I placed in Egypt I shall not place upon you" — has no share in the world to come (*Sanhedrin* 90a).<sup>44</sup>

**for I am the L-rd who heals you** - Now if the sickness is not "placed" to begin with, what need is there of healing! The verse expounds itself, viz.: "If you hear, hear, etc." i.e., "If you *do* hear," I shall *not* place; and if you do *not* hear, I *shall* place — notwithstanding which: "I am the L-rd who heals you" (*Ibid.* 101a).<sup>45</sup>

15:27 And they came to Eilim. And there, there were twelve wells of water and seventy date-palms. And they encamped there, by the water.

**And they came to Eilim [Eilimah]** - It was taught: R. Nechemiah says: A word understood to have *lamed* ["to"] preceding it is provided by

Scripture with *heh* following it, such as ["to] Eilim" — "Eilimah" (*Yevamoth* 13b).<sup>46</sup>

16:1 And they journeyed from Eilim, and the entire congregation of the children of Israel came to the desert of Sin, which is between Eilim and Sinai, on the fifteenth day of the second month after their leaving the land of Egypt.

**on the fifteenth day** - It was taught: That day was the Sabbath, as it is written (7): "And in *the morning* [with the falling of the manna] you shall see the glory of the L-rd," and (26): "Six days shall you gather it" [until the Sabbath, indicating that "the morning" is the morning after the Sabbath] (*Shabbath* 87b).<sup>1</sup>

16:2 And the entire congregation of Israel railed against Moses and Aaron in the desert.

**And they railed, etc.** - It was taught: R. Yehudah said: This is one of the ten trials wherewith our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>2</sup>

16:4 And the L-rd said to Moses: Behold, I shall cause it to rain for you bread from the heavens; and the people shall go out and gather the daily allotment in its day, so that I can try them, whether they will walk in My Torah or not.

**Behold, I shall cause it to rain for you** - R. Yochanan says: Rain may fall in the merit of the individual, as it is written (*Deuteronomy* 28:12): "The L-rd will open for *you* [singular] His goodly treasure, to give rain to your land"; sustenance is provided in the merit of the many, as it is written: "Behold I shall cause it to rain for *you* [plural] bread" (*Ta'anith* 9a).<sup>3</sup>

**Behold, I shall cause it to rain for you bread** - It is written: "bread" [connoting "fully baked"], and it is written (*Numbers* 11:8): "*ugoth*" [connoting "unbaked"], and it is written (*Ibid.*): "and they ground it in mills"? How are these to be reconciled? For the righteous: "bread"; for

those in a middle-state: “*ugoth*”; for the wicked: “they ground it in mills” (*Yoma* 75a).<sup>4</sup>

**Behold, I shall cause it to rain for you bread** - It is written: “bread,” and it is written (*Numbers* 11:8): “oil,” and it is written (31): “honey”! [How are these to be reconciled?] R. Yossi b. R. Chanina said: For youths [it had the taste of] bread; for old men, oil; and for children, honey (*Ibid.* b).<sup>5</sup>

**and the people shall go out and gather** - It is written here: “and the people shall *go out* [at a distance] and gather,” and (*Numbers* 11:9): “And when the dew fell *upon the camp* at night, the manna fell upon it,” and (*Ibid.* 7): “The people *dispersed* [far afield] and gathered it”! How are these to be reconciled? For the righteous, it fell at their doorsteps; for those of a middle-state, they went out [of the camp] and gathered; for the wicked, they dispersed [far beyond the camp] and gathered (*Ibid.* a).<sup>6,7</sup>

16:5 And it shall be on the sixth day, that they shall prepare what they shall bring; and there shall be double what they gather every day.

**And it shall be on the sixth day** - Ravah said: “And it shall be on the sixth day, that they shall prepare what they shall bring” — The week-day prepares for [i.e., “On a week-day one may prepare for”] Sabbath, and the week-day prepares for a festival; but a festival does not prepare for Sabbath, and Sabbath does not prepare for a festival (*Beitzah* 2b).<sup>8</sup>

**that they shall prepare what they shall bring** - R. Chisda said: One should rise early to prepare for the Sabbath, as it is written: “And it shall be on the sixth day, that they shall prepare what they shall bring” — immediately! (*Shabbath* 117b).<sup>9</sup>

**that they shall prepare what they shall bring** - Rabbah said: “And it shall be on the sixth day that they shall prepare what they shall bring” — From here we derive that *muktzeh* [handling the “unprepared” on Sabbath] is a Scriptural prohibition, its exhortation being (20:10): “You shall not perform any labor” (*Pesachim* 47b).<sup>10</sup>

16:7 And in the morning you shall see the glory of the L-rd, in His hearing of your railings against the L-rd. And what are we that you would rail against us!

And what are we - The Holy One Blessed be He said to Israel: I desire you, for even when I confer greatness upon you, you lower yourselves before Me. I conferred greatness upon Moses and Aaron, and they said: "And what are we" (*Chullin* 89a).<sup>11</sup>

And what are we - Rava said: The world exists in the merit of Moses and Aaron. It is written here: "And *what* are we," and, elsewhere (*Job* 26:6): "He suspends the earth on without *what*" (*Ibid.*).<sup>12</sup>

And what are we - Rava said: Greater [i.e., indicative of greater humility] what is said about Moses and Aaron than what is said about Abraham. For in respect to Abraham it is written (*Genesis* 18:27): "And I am dust and ashes," whereas in respect to Moses and Aaron it is written: "And *what* are we" (*Ibid.*).<sup>13</sup>

16:8 And Moses said: When the L-rd will give you in the evening flesh to eat, and in the morning bread to satiety, in the L-rd's hearing of your railings which you rail against Him. And what are we? Not against us are your railings, but against the L-rd.

in the evening flesh - It was taught in the name of R. Yehoshua b. Karchah: Flesh, which they requested inappropriately, was given to them "inappropriately" [in the evening, and not to satiety]; bread, which they requested appropriately, was given to them "appropriately" [in the morning, and to satiety] (*Yoma* 75a).<sup>14</sup>

in the evening flesh - Here the Torah teaches proper deportment, that one should eat flesh only in the evening (*Ibid.* b).<sup>15</sup>

but against the L-rd - R. Chanina b. Pappa said: If one rails against his master [i.e., his teacher], it is as if he would rail against the Shechinah, as it is written: "Not against us are your railings, but against the L-rd" (*Sanhedrin* 110a).<sup>16</sup>

16:13 And it was in the evening that the quails came up and covered the camp, and in the morning, there was a layer of dew around the camp.

**that the quails came up** - It [“quails”] is written *shelav* and pronounced *selav*. R. Chanina explained: The righteous ate it in *shalvah* [peace and contentment]; the wicked ate it, and it seemed like *silon* [thorns] to them (*Yoma* 75b).<sup>17</sup>

16:14 And the layer of dew rose; and, behold, on the face of the desert, a fine, flaky substance, as fine as the hoar frost on the ground.

**And the layer of dew rose** - In one place it is written: “And the layer of dew *rose*,” and, in another (*Numbers* 11:9): “And when the dew *fell*”! [How is this to be reconciled?] R. Yossi b. R. Chanina said: Dew above and dew below; [the manna,] as it were, lying in a basket (*Ibid.*).<sup>18,19</sup>

**a fine, flaky [mechuspas] substance** - [What is “*mechuspas*”?] Resh Lakish said; It lay smoothly [*munach*] on the palm [*pas*] of the hand. R. Yochanan said: It was absorbed into all of the 248 organs [248 being the *gematria* (i.e., the numerical equivalent) of *mechuspas*] (*Ibid.*).<sup>20,21</sup>

16:20 And they did not heed Moses, and men left over of it until the morning, and it putrefied; and Moses was wroth with them.

**and men left over** - It was taught: R. Yehudah said: This is one of the ten trials wherewith our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>22</sup>

16:21 And they gathered it in the morning, in the morning, a man according to his eating; and when the sun grew hot, it melted.

**in the morning, in the morning** - What is the intent of: “in the morning, in the morning”? To advance it [the morning] one hour [see below] (*Berachoth* 27a).<sup>23</sup>

in the morning, in the morning - R. Yishmael taught: "in the morning, in the morning" — Scripture hereby sets a bound to the morning of morning [i.e., the "morning" of the rise of the morning star is the bound of the rising of the sun] (*Yerushalmi Berachoth* 1:1).<sup>24</sup>

and when the sun grew hot - When? The fourth hour [when it is hot in the sun, but cool in the shade]. But perhaps the sixth hour [when it is hot everywhere] is meant! [This cannot be, for] (*Genesis* 18:1): "in the heat of the day" denotes the sixth hour. How, then, am I to understand: "and when the sun grew hot"? The fourth hour (*Berachoth* 17a).<sup>25,26</sup>

and when the sun grew hot - When? The fourth hour. Where is this implied? R. Acha b. Yaakov said: "and when the sun grew hot, it melted." At which hour is it hot in the sun and cool in the shade? The fourth hour (*Ibid.*).<sup>27,28</sup>

16:22 And it was on the sixth day that they gathered double-bread, two *omers* for one; and the leaders of the congregation came, and they told it to Moses.

they gathered double-bread - R. Abba said: One must break two breads on the Sabbath, as it is written: "double-bread." R. Ashi said: I saw R. Cahana take two breads and break one, saying: It is written: "they gathered" [double-bread (but broke only one)] (*Shabbath* 117b).<sup>29,30</sup>

16:23 And he said to them: This is as the L-rd spoke: A resting, a holy Sabbath is it to the L-rd tomorrow. What you would bake, bake; and what you would cook, cook. And whatever is left over, leave it for yourselves to secrete it until the morning.

A resting - It was taught: Whence is it derived that it is forbidden to shred vegetables on Yom Kippur that falls out on a Sabbath? From: "A resting, a holy Sabbath" [Yom Kippur is also referred to as "a resting"]. What is the intent of this? If to forbid labor, it is already written (20:10): "Do not perform any labor." The intent is, rather, to forbid the shredding of vegetables [and other acts of this nature, which are not technically labors, but violations of "resting" ("*shevuth*")] (*Ibid.* 114b).<sup>31-33</sup>

What you would bake, bake, etc. - Here the sages found Scriptural support for the *eruv tavshilin*. [How so?] R. Eliezer said: "What you would bake [on the Friday of a festival for the Sabbath], bake" [before, on Thursday (i.e., the *eruv tavshilin*), so that the baking on Friday is not baking on a festival for the Sabbath (which is forbidden), but a continuation of the Thursday baking]. [In sum, we are taught about a festival that falls out on Friday] that there is to be no baking, except as a continuation of what is already baked, and no cooking, except as a continuation of what is already cooked (*Beitzah* 15b).<sup>34</sup>

16:25 And Moses said: Eat it today, for it is Sabbath today to the L-rd; today you will not find it in the field.

Eat it today - The Rabbis taught: One must eat three meals on the Sabbath. Whence is this derived? "Today" is written three times: "Eat it *today*"; "for it is Sabbath *today*"; "*today*" you will not find it in the field" (*Shabbath* 117b).<sup>35</sup>

Eat it today - R. Shimon b. Pazzi said: R. Yehoshua b. Levi said in the name of Bar Kappara: All who observe the three meals of Sabbath are spared three calamities: the pangs [preceding the advent] of the Messiah, the judgment of Gehinnom, and the war of Gog and Magog. For it is written here: "day" [see commentary above], and, in respect to the pangs of the Messiah (*Malachi* 3:13): "Behold, I am sending you Elijah, the prophet, before the coming of the *day* of the L-rd"; and, in respect to Gehinnom (*Tzeplaniah* 1:15): "A *day* of wrath is that day"; and, in respect to the war of Gog and Magog (*Ezekiel* 38:18): "on the *day* that Gog shall come" (*Ibid.* 118a).<sup>36</sup>

for it is Sabbath today - R. Levi said: If the Jews observed just one Sabbath as it were meant to be observed, the son of David [i.e., the Messiah] would come immediately; for it is written: "for it is Sabbath" [If you observe one Sabbath], and "today" [he would come today], and (*Isaiah* 30:15): "With resting and ease you shall be saved" — With the resting and ease [of the Sabbath], you will be redeemed [by the Messiah] (*Yerushalmi Ta'anith* 1:1 ).<sup>37</sup>

16:26 Six days shall you gather it, and on the seventh day it is Sabbath; there will not be [manna] on it.

**Sabbath; there will not be on it** - We learn [from: "on the seventh day"] that the manna does not fall on the Sabbath. Whence do we derive [that it does not fall on] festivals? From: "there will not be on it." Whence do we derive [that it does not fall on] Yom Kippur? From: "Sabbath" [Yom Kippur is also referred to as "Sabbath"] (*Mechilta*).<sup>38</sup>

16:27 And it was on the seventh day that there went out from the people to gather; and they did not find.

**And it was on the seventh day** - R. Yehudah said in the name of Rav: If the Jews had observed the first Sabbath, no nation or tongue would ever have gained ascendancy over them, as it is written: "And it was on the seventh day that there went out from the people to gather," followed by (17:8): "And Amalek came ... " (*Shabbath* 118b).<sup>39</sup>

**And it was on the seventh day that there went out** - It was taught: R. Yehudah said: This is one of the ten trials wherewith our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>40</sup>

16:28 And the L-rd said to Moses: Till when will you refuse to keep My mitzvoth and My Toroth?

**Till when will you refuse** - Rava said to Rabbah b. Mari: Whence is derived the folk-saying: "With the [rooting out of the] thorn [the offending individual], the cabbage [the community] is crushed"? From: "Till when will you [i.e., all of the Jews] refuse ... " [see below] (*Bava Kamma* 92a).<sup>41</sup>

**Till when will you refuse** - Rebbi was sitting and expounding, when he smelled the smell of garlic; whereupon he said: "Whoever ate garlic, let him leave." R. Chiyya stood up and he left — at which they all stood up and left! And where did R. Chiyya learn this [i.e., that this was the proper response (though he himself had not eaten the garlic)]? From: "Till when will you [i.e., all of the Jews] refuse ... " [The blame is being

relegated to all of the Jews to save the individual offenders from embarrassment] (*Sanhedrin* 11a).<sup>42</sup>

to keep My mitzvot and My Torah - followed by: "See that the L-rd has given you the Sabbath." This teaches us that the *mitzvah* of Sabbath is equivalent to all the *mitzvot* of the Torah (*Yerushalmi Nedarim* 3:9).<sup>43</sup>

16:29 See that the L-rd has given you the Sabbath. That is why He gives you on the sixth day, bread for two days. Let a man sit in his place. Let a man not go out of his place on the seventh day.

Let a man sit in his place - How much is "in his place"? Four ells. Three ells for his body, and one to stretch his hands and feet (*Eruvin* 48a).<sup>44</sup>

Let a man not go out of his place - R. Chiyya taught: Stripes are received for [transgression of] *eruvei techumin* [boundary demarcations in respect to the Sabbath], as intimated in Scripture [viz.: "Let a man not go out of his place"] (*Ibid.* 17b).<sup>45</sup>

Let a man not go out of his place - "of his place" — this is two thousand ells. Where is this derived? R. Chisda said: It is derived [by a series of likenesses (*gezeirah shavah*) between different verses]: "place" [here] from "place" [elsewhere]; "and place" [elsewhere] from "running" [in conjunction with "place"]; and "running" from "running"; and "running" from "boundary"; and "boundary" from "boundary"; and "boundary" from "outside"; and "outside" from "outside," as it is written (*Numbers* 35:5): "And you shall measure from *outside* the city on the east side, two thousand ells" (*Ibid.* 51a).<sup>46,47</sup>

16:31 And the house of Israel called its name: "*man*." And it was like coriander seed, white; and its taste was like wafers with honey.

coriander, white [*gad lavan*] - R. Assi said: round as *gida* [coriander], and white as pearl. The Rabbis say: "*gad*" [grain] — it was similar to linseed in calyxes (*Yoma* 75a).<sup>48</sup>

**gad lavan** - It was taught: Others say: "*gad*" — it told [*higid*] the Jews whether a child were a nine-month birth to the first husband or a seven-month birth to the second [the manna falling for each family according to the number of its members]. "*lavan*" [white] — it whitened [i.e., "revealed"] the sins of Israel. How so? If two came to judgment before Moses, one saying: "You stole my servant"; the other: "You sold him to me," Moses would tell them: "In the morning, judgment will be pronounced." If the [manna] *omer* [of the servant] is found in the house of his first master, this proves that the second stole him; if in the house of his second master, this proves that the first sold him (*Ibid.*).<sup>49-51</sup>

16:33 And Moses said to Aaron: Take one flask and put there a full *omer* of manna; and place it before the L-rd as a keeping for your generations.

**flask [tzintzeneth]** - I would not know what kind of *tzintzeneth*, but the word itself suggests "*meitzitz*" ["looking through"], from which we infer that the substance is glass (*Mechilta*).<sup>52</sup>

**and put there** - With the secreting of the ark, the flask of manna was secreted, this being derived: "there"—"there," in respect to the ark. It is written here: "and put *there*," and, in respect to the ark (30:6): "I will meet with you *there*" — just as the ark was secreted, so, the flask of manna was secreted (*Yoma* 52b).<sup>53</sup>

16:35 And the children of Israel ate the manna forty years until they came to an inhabited land. They ate the manna until they came to the edge of the land of Canaan.

**forty years** - Now did they eat it for forty [full] years? Did they not eat it for forty years less thirty days? This teaches us that the cakes which they brought out of Egypt [which they ate for thirty days] had the taste of manna (*Kiddushin* 38a).<sup>54,55</sup>

**to an inhabited land** - "to an inhabited land" [from Trans-Jordan on] is problematic because of "to the edge of the land of Canaan" [Arvoth Moav, where Moses died]; and "to the edge of the land of Canaan" is

problematic because of “to an inhabited land”! How is this to be reconciled? On the seventh day of Adar, Moses died [in Arvoth Moav] and the manna stopped falling, and the manna in their vessels sufficed until the sixteenth of Nissan [when they came “to an inhabited land”] (*Ibid.*).<sup>56,57</sup>

16:36 And the omer is one-tenth of an *efah*.

And the omer is one-tenth of an *efah* - [And how much is an *efah*? Three *sa'in* — whence we derive that the *issah* of the desert (i.e., the dough-quantity, re the *chalah* requirement) was seven *logs* and one and one-fifth of an egg] (*Eruvin* 83b).<sup>58</sup>

17:1 And the entire congregation of the children of Israel journeyed from the desert of Sin in their journeys by the word of the L-rd, and they encamped in Refidim; and there was no water to drink for the people.

and they encamped in Refidim - What is signified by “Refidim”? R. Eliezer says: Refidim was its name. R. Yehoshua says: They weakened [*rifu*] themselves from words of Torah [i.e., They did not occupy themselves with Torah study], as it is written (*Jeremiah* 47:3): “The fathers did not turn to the sons from weakness [*rifyon*] of hands” (*Sanhedrin* 106a).<sup>1</sup>

17:2 And the people quarreled with Moses, saying: Give us water and we shall drink. And Moses said to them: Why do you quarrel with me? Why would you try the L-rd?

And the people quarreled - It was taught: R. Yehudah said: This is one of the ten trials wherewith our forefathers tried the Holy One Blessed be He in the desert (*Erchin* 15a).<sup>2</sup>

17:3 And the people thirsted there for water. And the people railed against Moses, saying: Why did you take us up out

of Egypt to kill me and my children and my cattle with thirst?

**me ... and my cattle** - They likened their cattle to themselves. From here it is derived that a man's beast is his life. If a man is on the road and his beast is not with him, he is sorely distressed (*Mechilta*).<sup>3</sup>

17:5 And the L-rd said to Moses: Pass before the people, and take with you of the elders of Israel; and your rod with which you smote the Nile, take in your hand and go.

**with which you smote** - Now did Moses smite it? Did not Aaron smite it? R. Avahu said: This teaches us that one who prompts his neighbor to the performance of a *mitzvah* is accounted by Scripture as the performer himself (*Sanhedrin* 99b).<sup>4</sup>

17:9 And Moses said to Joshua: Pick for us men, and go out to wage war with Amalek. Tomorrow I shall stand on the top of the hill with the rod of G-d in my hand.

**Pick for us** - "Pick for *me*" is not written, but: "Pick for *us*," Moses placing Joshua on a par with himself. From here it is derived that a master's disciple should be as dear to him as himself (*Mechilta*).<sup>5</sup>

**Pick for us men** - R. Yehoshua says: "men" — warriors. R. Eliezer says: "men" — fearers of sin (*Ibid.*).<sup>6</sup>

**Tomorrow** - It was taught: Issi b. Yehudah says: This is one of the ambiguous verses [i.e., "... wage war with Amalek tomorrow," or "... wage war with Amalek. Tomorrow I shall stand ... "] (*Yoma* 52b).<sup>7</sup>

17:11 And it was, when Moses lifted his hand, that Israel prevailed, and, when he let fall his hand, that Amalek prevailed.

**when Moses lifted his hand** - Now was it Moses' hand that made war or halted war? The intent is, rather, that so long as Israel looked on High

and devoted their hearts to their Father in heaven, they were victorious failing this, they were defeated (*Rosh Hashanah* 29a).<sup>8</sup>

17:12 And the hands of Moses grew heavy, and they took a stone and placed it beneath him, and he sat upon it. And Aaron and Chur supported his hands; on this side, one; and on the other side, one. And his hands were steadfast until the setting of the sun.

and they took a stone - The Rabbis taught: If one sees the stone on which Moses sat while Joshua was battling Amalek, he must utter thanks and praise to the Blessed One. Why so? For it is written: "And the hands of Moses grew heavy, and they took a stone ... and he sat upon it" (*Berachoth* 54a).<sup>9</sup>

and they took a stone - Had Moses no pillow to sit upon? He said: "If my fellow Jews are being afflicted, I shall share their affliction with them" — whence it is derived that even one who is perfectly righteous must share in the lot of the many (*Ta'anith* 11a).<sup>10</sup>

And Aaron and Chur supported - This is the source of the ordinance that no fewer than three officiate before the ark on a communal fast (*Mechilta*).<sup>11</sup>

until the setting of the sun - This indicates that he was fasting, [a fast culminating at the setting of the sun] (*Ibid.*).<sup>12</sup>

17:14 And the L-rd said to Moses: Write this as a remembrance in a scroll, and place it in the ears of Joshua; for I shall erase the remembrance of Amalek from under the heavens.

Write this as a remembrance in a scroll - Esther sent to the sages: "Write me [i.e., *Megillat Esther*] down for the ages" [as part of the Holy Scriptures]; and they found [support for her request] in the verse: "Write this [the erasing of Amalek] as a remembrance in a scroll." "Write *this*" — what is written here and in *Deuteronomy*; "as a remembrance" — what is written in the Prophets [*Samuel*]; "in a

scroll" — what is written in the scroll of Esther (*Megillah 7a*).<sup>13</sup>

from under the heavens - [What is the intent of: "from under the heavens"?] That there remain no descendant of Amalek, and not even a camel or an ass, under all of the heavens, so that it not be said: "This is of Amalek" (*Sifrei, Tetzeh*).<sup>14</sup>

17:16 And he said: For a hand upon the throne of the L-rd: The L-rd shall war against Amalek from generation to generation.

For a hand upon the throne of the L-rd - R. Shila expounded: (I *Chronicles* 29:11): "Yours, O L-rd, is the *kingdom*" — this refers to the war against Amalek, as it is written: "For a hand upon the *throne* of the L-rd ... " (*Berachoth* 58a).<sup>15</sup>

For a hand upon the throne of the L-rd - It was taught: R. Yossi says: Israel was charged with three *mitzvot* upon their entrance to the land: to appoint a king, to cut off the seed of Amalek, and to build the Temple. I would not know which were to be done first, if not for: "For a hand upon the throne of the L-rd: The L-rd shall war against Amalek," which indicates that the king is to be appointed first. For "throne" refers to kingdom, as it is written (I *Chronicles* 29:23): "And Solomon sat on the throne of the L-rd as a king" (*Sanhedrin* 20b).<sup>16,17</sup>

For a hand upon the throne of the L-rd - It was taught: R. Yehoshua says: When the Holy One Blessed be He will sit upon His throne of kingdom, and His reign will be complete, at that time: "The L-rd shall war against Amalek" [see above] (*Mechilta*).<sup>18</sup>

For a hand upon the throne of the L-rd - From here ["a hand upon," etc., which is the formula for an oath], we see that the Holy One Blessed be He has sworn upon His throne of glory not to leave a vestige of Amalek beneath all of the heavens (*Sifrei, Tetzeh*).<sup>19</sup>

from generation to generation - It was taught: R. Eliezer says: The Holy One Blessed be He has sworn by His throne of glory that if one from among all the nations comes to convert, he is to be accepted; but if he is of Amalek and his progeny he is not to be accepted, as it is written: "from generation to generation" (*Mechilta*).<sup>20</sup>

## **Jethro**

18:1 And Jethro heard, the priest of Midian, the father-in-law of Moses, all that the L-rd had wrought for Moses and for Israel his people, that the L-rd had taken Israel out of Egypt.

**And Jethro heard** - What did he hear that caused him to come and convert? R. Yehoshua says: He heard of the war with Amalek, it being written before [this verse, 17:13]: "And Joshua reduced Amalek and his people by the sword." R. Elazar Hamodai says: He heard of the giving of the Torah, and he came. For when the Torah was given to the people of Israel, its reverberations traveled from one end of the world to the other. R. Eliezer b. Yaakov says: He heard of the splitting of the sea, and he came, as it is written (*Joshua 5:1*): "And it was, when all the kings of the Emorites heard ... that the L-rd had dried up the waters of the Jordan ... " (*Zevachim* 116a).<sup>1-4</sup>

18:4 And the name of the other was Eliezer; for the G-d of my father was my help, and He saved me from the sword of Pharaoh.

**and He saved me from the sword of Pharaoh** - R. Elazar said: When Pharaoh seized Moses he condemned him to be decapitated — but the sword sprang from the neck of Moses to that of his executioner and killed him. This is the intent of Moses' saying: "and He saved me from the sword of Pharaoh." He saved *me*, and killed the executioner (*Yerushalmi Berachoth* 9:1).<sup>5</sup>

**and He saved me from the sword of Pharaoh** - [It is not written: "and He saved me from *Pharaoh*," but: "from the *sword* of Pharaoh"] — to

teach that even when a sharp sword is upon a man's neck, he must not despair of being saved by the Holy One Blessed be He (*Yerushalmi Avodah Zarah* 1:3).<sup>6</sup>

18:6 And he said to Moses: I, your father-in-law, Jethro, am coming to you, and your wife and her two sons with her.

And he said ... "I, your father-in-law, Jethro" - It was taught: R. Yehoshua says: He wrote him thus in a letter. R. Elazar Hamodai says: He sent him thus by a messenger (*Mechilta*).<sup>7</sup>

18:7 And Moses went out to meet his father-in-law, and he bowed down, and he kissed him; and a man inquired of the other's well-being, and they came into the tent.

and he bowed down and he kissed him - I would not know who bowed down to whom, and who kissed whom, if not for the fact that it is written: "and a man inquired of the other's well-being." Who is called "a man"? Moses, as it is written (*Numbers* 12:3): "And the man, Moses, was exceedingly humble" — whence it is seen that it was Moses, who bowed down to and kissed his father-in-law. From here it is derived that one must be solicitous of the honor of his father-in-law (*Ibid.*).<sup>8</sup>

18:9 *Vayichad* Jethro over all the good that the L-rd had wrought for Israel, that He had rescued them from the hand of Egypt.

*Vayichad Jethro* - Rav says: "*Vayichad*" — He passed a sharp sword [*cherev chadah*] over his flesh [i.e., he circumcised himself]. Shmuel says: His flesh broke out in welts [*chidudin, chidudin* (from grief over the fate of the Egyptians)]. Rav said: This is as people say: A convert, for ten generations [after the conversion of his ancestor], do not shame an Aramean before him" (*Sanhedrin* 94a).<sup>9-11</sup>

18:10 And Jethro said: Blessed is the L-rd, who saved you from the hand of Egypt and from the hand of Pharaoh, who

saved the people from beneath the hand of Egypt.

**Blessed is the L-rd** - [From here it is derived that one must make a blessing over a miracle] (*Berachoth* 54a).<sup>12</sup>

**Blessed is the L-rd** - It was taught in the name of R. Papayus: It is to the discredit of Moses and the six hundred thousand that they did not say "Blessed," until Jethro came and said: "Blessed is the L-rd" (*Sanhedrin* 94a).<sup>13</sup>

18:11 Now I know that the L-rd is greater than all the gods; for by the thing that they plotted against them.

**that they plotted** - What is the intent of: "that they plotted"? "In the pot that they cooked, they were cooked themselves" [i.e., The Egyptians plotted to destroy the Jews by (throwing their males into the) water; and it was by water that they themselves were destroyed] (*Sotah* 11a).<sup>14</sup>

18:12 And Jethro, the father-in-law of Moses, took burnt-offerings and sacrifices for G-d. And Aaron came and all the elders of Israel to eat bread with the father-in-law of Moses before G-d.

**burnt-offerings and sacrifices** - [From here it is derived that Jethro came after the giving of the Torah, for if before, it is known that the sons of Noah did not sacrifice peace-offerings (and "sacrifices" are peace-offerings) (*Zevachim* 116a).<sup>15</sup>

**before G-d** - R. Avin Halevi said: All who partake of a feast in which a Torah scholar is a principal, are basking, as it were, in the Divine Presence. As it is written: "And Aaron came and all the elders of Israel to eat bread with the father-in-law of Moses before G-d." Now is it before *G-d* that they ate? Is it not before *Moses* that they ate? From here we infer, then, that if one partakes of a feast in which a Torah scholar is a principal, it is as if he would bask in the Divine Presence (*Berachoth* 64a).<sup>16,17</sup>

before G-d - R. Yishmael taught: Now is it before *G-d* that they ate? [Is it not before *Moses* that they ate?] From here we derive that one who pays attendance upon his fellow man is paying attendance, as it were, upon the Shechinah itself (*Yerushalmi Eruvin* 5:1).<sup>18,19</sup>

18:13 And it was on the morrow that Moses sat to judge the people. And the people stood before Moses from morning until evening.

that Moses sat to judge -And it is written: “And the people stood,” which teaches us that the judges sit and the litigants stand (*Shevuoth* 30b).<sup>20</sup>

from morning until evening - R. Chiyya b. Rav of Diphthi taught: Now would it enter your mind that Moses sat and judged the entire day? What would become of his Torah [i.e., his Torah study]? The intent [of “from morning until evening”] is, rather, that every judge who renders a judgment of truth — even in one moment — is accounted by Scripture as if he were a partner to the Holy One Blessed be He in the creation — it being written here: “And the people stood before Moses from morning until evening,” and, there, [in respect to the creation] (*Genesis* 1): “And it was evening and it was morning” (*Shabbath* 10a).<sup>21,22</sup>

18:16 If there be to them a thing, they come to me; and I judge between a man and his friend, and I apprise them of the statutes of G-d and of His Torah.

If there be to them a thing - regarding uncleanness or cleanliness (*Mechilta*).<sup>23</sup>

between a man and his friend - “between a man” — this refers to a verdict where there is no compromise; “and his friend” — this refers to a compromise verdict, where they take leave of each other as friends (*Ibid.*).<sup>24</sup>

18:20 And you shall exhort them in respect to the statutes and the Torah; and you shall apprise them of the way in

which they shall go, and of the deed that they shall do.

**and you shall apprise them, etc.** - R. Yosef taught: "and you shall apprise them" — this is "the house of their life" [i.e., instruction in the earning of a livelihood]; "the way" — this is the pursuit of lovingkindness; "they shall go" — this is the visiting of the sick; "in it" — this is burial; "and of the deed" — this is the law; "that they shall do" — this is above and beyond the letter of the law (*Bava Kamma* 99a).<sup>25-27</sup>

**the way in which they shall go** - R. Yehoshua b. R. Iddi taught: Where is the marking of graves [to warn priests against uncleanness] intimated in the Torah? In "and you shall apprise them of the way in which they shall go" (*Moed Katan* 5a).<sup>28</sup>

**the way in which they shall go** [Heb. "... they shall go in it" (feminine)] - [From here we see that "way" is feminine. (This has certain exegetical implications)] (*Kiddushin* 2b).<sup>29</sup>

18:21 And you, see from all the people, men of valor, fearers of G-d, men of truth, haters of gain; and place over them officers of thousands, officers of hundreds, officers of fifties, and officers of tens.

**And you, see, etc.** - See by means of prophetic vision, with the sight granted to the wise (*Mechilta*).<sup>30</sup>

**men of valor, fearers of G-d** - "men of valor" — trustworthy men; fearers of G-d — those who seek compromise in judgment [so that a stern judgment not be violated, to the dishonor of the L-rd] (*Ibid.*).<sup>31,32</sup>

**men of truth, haters of gain** - "men of truth" — such as R. Chanina b. Dossa and his companions; "haters of gain" — despisers of their money in judgment [i.e., not clinging to what is theirs, but allowing judgment to take its course]; much more so, [not clinging to] the money of others (*Ibid.*).<sup>33</sup>

**and place over them** - The Rabbis taught: "and place over them officers of thousands, officers of hundreds, officers of fifties, and officers of tens": "officers of thousands" — six hundred [the population being six

hundred thousand]; “officers of hundreds” — six thousand; “officers of fifties” — twelve thousand; “officers of tens” — sixty thousand. So that the judges of Israel totaled seventy-eight thousand and six hundred (*Sanhedrin* 18a).<sup>34</sup>

**18:22** And let them judge the people at every time. And every great thing let them bring to you; and every small thing let they themselves judge. And let them lighten your burden and bear with you.

**at every time** - And it is written (*Deuteronomy* 21:16): “And it shall be on the day that he causes his sons to inherit” [implying that judgment is rendered only in the daytime and not “every time”!] How is this to be reconciled? The daytime for the beginning of the judgment; the evening for its conclusion. [From here it is derived that monetary litigations are commenced by day and concluded at night] (*Ibid.* 34b).<sup>35,36</sup>

**great thing** - A high-priest is judged by a *beth-din* of seventy-one. Whence is this derived? R. Adda b. Ahavah said: From: “Every great thing let them bring to you” — the things of the “great one” [i.e., the high-priest]. But perhaps a “great thing” signifies a difficult matter! [This cannot be, for] “The difficult matter they brought to Moses” (26) already tells us of “a difficult matter.” How, then, are we to understand “a great thing”? As “the things of the great one” (*Ibid.* 16a).<sup>37,38</sup>

**great thing** [lit., “*the* great thing”] - What is the intent of: “the great thing”? R. Adda b. Ahava said: The things of the great one [i.e., the high-priest]. Let us say, then, that it refers to *all* the things [i.e., litigations] of the great one [even monetary litigations]. [This is not so, for] is it written: “things of the great one”? “the great thing” is written; literally, *the great thing* [i.e., a capital litigation] (*Ibid.* 18b).<sup>39,40</sup>

**and bear with you** - Capital cases may be tried only by priests, Levites, and Israelites married to daughters of priests. Why so? R. Nachman b. Yitzchak said: For it is written: “and bear *with* you” — they must be *like* you [Moses was a Levite] (*Ibid.* 36b).<sup>41</sup>

**18:23** If you do this thing, then G-d shall command you and you

shall be able to stand; and also all this people, in its place shall come in peace.

shall come in peace - It has rightly been said: One who emerges from a *beth-din* that has just confiscated his jacket [in judgment] should go on his way singing [that he has been spared from thievery]. Shmuel said to R. Yehudah: This is intimated in the verse: "and also all this people, in its place shall come in peace" (*Ibid.* 7a).<sup>42,43</sup>

19:1 In the third month of the children of Israel's going out of the land of Egypt, on this day, they came to the desert of Sinai.

of the children of Israel's going out - This teaches us that months are counted according to the exodus from Egypt [the first month being Nissan] (*Yerushalmi Rosh Hashanah* 1:1).<sup>1</sup>

on this day, they came - It is written here: "on *this* day they came to the desert of Sinai," and, elsewhere, (12:2): "*This* month is for you." Just as there, Rosh Chodesh is signified; here, too, Rosh Chodesh is signified. From here it is derived that on Rosh Chodesh [Sivan] Israel came to the desert of Sinai (*Shabbath* 86b).<sup>2</sup>

the desert of Sinai - The desert of Sinai is known by five epithets: the desert of *Tzin* — because the Jews were commanded [*nitztavu*] thereon [i.e., on Mount Sinai]; the desert of *Kadesh* — because the Jews were sanctified [*nitkadshu*] thereon; the desert of *Kedemoth* — because the Torah [which preceded (*kadmah*) the universe] was given thereon; the desert of *Paran* — because the Jews were fruitful [*paru veravu*] thereon; and the desert of *Sinai* — because hatred [*sinah*] of the nations of the world descended thereon. And what is its [i.e., the mountain's] real name? Mount Chorev (*Shabbath* 89a,b).<sup>3-7</sup>

19:3 And Moses went up to G-d, and the L-rd called to him from the mountain, saying: Thus shall you say to the house of Jacob and tell the children of Israel:

And Moses went up to G-d - It was taught: R. Yossi says: Moses never

went up to heaven, as it is written (*Psalms* 115:16): “The heavens are the heavens of the L-rd.” As to its being written: “And Moses went up to G-d,” [he went as far as] ten ells beneath the Heavenly sanctum (*Succah* 5a).<sup>8</sup>

**And Moses went up to G-d** - It was taught: R. Yossi says: Ezra would have merited that the Torah be given by his hand had Moses not preceded him. In respect to Moses, it is written: “And Moses *went up* to G-d,” and, in respect to Ezra, (*Ezra* 7:6): “He, Ezra, *went up* from Bavel.” Just as the “going up” in respect to Moses refers to Torah, so, that in respect to Ezra refers to Torah (*Sanhedrin* 21b).<sup>9</sup>

**Thus shall you say** - “Thus shall you say to *the house of Jacob*” — these are the women. Speak gently to them; give them the basic ideas. “and tell *the children of Israel*” — these are the men; tell it to them in detail (*Mechilta*).<sup>10</sup>

19:6 And you shall be to Me a kingdom of priests and a holy nation. These are the things that you shall speak to the children of Israel.

**a kingdom of priests** - Huna b. Nathan said: Once I was standing before King Izgedar [of Persia]. My sash was tied high, and he lowered it, saying: It is written of you: “a kingdom of priests and a holy nation” [whose “lower” parts should be separated from the higher] (*Zevachim* 19a).<sup>11,12</sup>

19:8 And all the people answered together: All that the L-rd has said we shall do. And Moses returned the words of the people to the L-rd.

**And all the people answered** - See commentary on 20:15

**And Moses returned** - The Torah hereby teaches us *derech erez* [proper deportment], that one should return an answer to his sender; for Moses said: Even though He knows, I shall return an answer (*Mechilta*).<sup>13</sup>

19:9 And the L-rd said to Moses: Behold, I shall come to you

in a thick cloud, so that the people may hear when I speak with you; and in you, too, shall they believe forever. And Moses told the words of the L-rd.

And the L-rd said, etc. - R. Acha b. Adda said: In the West [i.e., in Eretz Yisrael,] they divide the following into three parts: "And the L-rd said to Moses: Behold I shall come to you in a thick cloud." [followed by: "Because the people hear Me speaking to you, in you, too, etc."] (*Nedarim* 38a).<sup>14</sup>

And Moses told - Now what did Moses tell the Jews [from the L-rd] that he told [i.e., relayed] *their* words to the Holy One Blessed be He? In the beginning, he set forth [for the Jews] the reward [for observance of the *mitzvot*], as it is written (8): "*Vayashev Mosheh*" — words that "gratify" [*meishivin*] a man's mind; and then he set forth the punishment [for non-observance], as it is written [here]: "*Vayaged Moshe*" — words that are as tough to a man as "sinews" [*gidin*] (*Shabbath* 87a).<sup>15</sup>

19:10 And the L-rd said to Moses: Go to the people and ready them today and tomorrow, and let them wash their clothes.

and ready them today and tomorrow - "today and tomorrow" — two days. And Moses said (15): "Be ready in three days." He added an additional day independently, expounding: "today and tomorrow" — today *as* tomorrow. Just as [with] "tomorrow," the [preceding] night is part of it, so [with] "today," the night is part of it; but the night of this day has already passed, thus leaving two days aside from today [giving a total of three days] (*Ibid.*).<sup>16</sup>

and let them wash their clothes - This teaches us that they also required ritual immersion. For if where washing of clothes is *not* required [i.e., in the instance of one who has had a seminal emission], ritual immersion *is* required, then where washing of clothes *is* required, how much more so should ritual immersion be required! And from here it is derived that one undergoing conversion [to Judaism, as the nation was undergoing here, with respect to *Torah* Judaism,] requires ritual immersion (*Yevamoth* 46b).<sup>17,18</sup>

19:13 Let no hand touch it; for stoned he shall be stoned, or cast down he shall be cast down. Or beast or man, he shall not live. With the sounding of the shofar shall they ascend the mountain.

**for stoned he shall be stoned, etc.** - The Rabbis taught: Whence is it derived that thrusting [from a height is valid in the carrying out of "stoning"]? From: "or cast down." And whence is it derived that stoning [i.e., literally, killing with a stone] is valid? From: "for stoned." And whence is it derived that both stoning and thrusting are employed [if the latter does not suffice]? From: "stoned he shall be stoned, or cast down he shall be cast down." And whence is it derived that if he dies by thrusting it suffices [and his body need not be stoned]? From: "or cast down he shall be cast down." And whence is it derived that this [i.e., what applied at Sinai] applies for all generations? From: "stoned he shall be stoned" (*Sanhedrin* 45a).<sup>19-21</sup>

**or cast down he shall be cast down** - The Rabbis taught: Whence is it derived that one executed by *beth-din* requires two thrustings? [One, to thrust him to his death; the other, to "thrust" him on his stomach if he lands on his back [(in which position, he is shamefully exposed)]? From: "or cast down he shall be cast down" (*Yerushalmi Sanhedrin* 6:5).<sup>22</sup>

**or beast** - Both an ox and any other kind of beast are included in the injunction against touching Mount Sinai, it being written: "or *beast*." And an animal is included in the category of "beast." "*or*" — to include birds [in the injunction] (*Bava Kamma* 54b).<sup>23,24</sup>

**or beast or man** - Rammi b. Yechezkel taught: "Or beast or man, he shall not live." Just as a man was judged by twenty-three judges, so a beast was judged by twenty-three judges (*Sanhedrin* 15b).<sup>25,26</sup>

**With the sounding of the shofar, etc.** - Let us analyze this. It is written (34:3): "Also the sheep and the cattle shall not feed opposite *that* mountain" [where the Shechinah abides]. Why, then, is it stated: "*With the sounding of the shofar* shall they ascend the mountain"? [i.e., Why should the departure of the Shechinah not suffice?] To teach that anything [prohibited] by consensus requires another consensus to permit it [though the reason for the original prohibition no longer applies] (*Beitzah* 5b).<sup>27,28</sup>

**With the sounding of the shofar, etc.** - It was taught: R. Yossi says: It is not the place that honors the man, but the man that honors the place. For we find in respect to Mount Sinai, that as long as the Shechinah abided upon it, Scripture stated (34:3): "Also the sheep and the cattle shall not feed opposite that mountain"; but once the Shechinah departed, Scripture stated: "With the sounding of the shofar shall they ascend the mountain" (*Ta'anith* 21b).<sup>29</sup>

19:15 And he said to the people: Be ready in three days; do not come near to a woman.

**in three days** - Whence is it derived that a woman who exudes semen on the third day [after cohabitation] is clean? From: "Be ready in three days; do not come near to a woman" (*Shabbath* 86a).<sup>30</sup>

**in three days** - Moses reasoned *a fortiori* in respect to himself, viz.: Now if Israel, with whom the Shechinah spoke only a short time, and to whom a specific time was assigned, was instructed: "Be ready in three days; do not come near to a woman," then I, with whom the Shechinah converses at all times, at non-specified times, how much more so [should I abstain from coition]! For this reason he separated from his wife (*Ibid.* 87a).<sup>31</sup>

**in three days** - There, they said that one who has had a seminal emission may not even listen to words of Torah. Why is this so? R. Acha said in the name of R. Elazar: As at the beginning [i.e., when the Torah was received]: "Be ready in three days; do not come near to a woman" (*Yerushalmi Berachoth* 3:4).<sup>32</sup>

19:16 And it was on the third day, when it was morning, that there were voices [of thunder] and lightning and a thick cloud upon the mountain, and an exceedingly strong shofar blast. And all the people in the camp trembled.

**that there were voices, etc.** - R. Yehoshua b. Levi said: All who partake of the groom's feast and make him happy merit Torah, which was given with five voices [as was happiness to bride and groom (as per Scriptural allusion)], it being written: "And it was on the third day ... that there

were *voices* [two] and lightning and a thick cloud upon the mountain, and an exceedingly strong shofar blast [lit., “voice”], etc.”; “And the *voice* of the shofar traveled, etc.” (19); “and G-d answered him in a *voice*” (*Ibid.*). (*Berachoth* 6b).<sup>33</sup>

19:17 And Moses took out the people towards G-d from the camp; and they stood at the foot of the mountain.

And Moses took out the people - R. Yehudah b. Pazzi said: Can we read this and not be confounded [with shame]! For *good* [i.e., to receive the Torah]: “And Moses *took out* the people.” For *bad* [in the episode of the spies] (*Deuteronomy* 1:22): “And you all *drew near* [of your own volition] to Me”! (*Yerushalmi Shekalim* 1:).<sup>34,35</sup>

and they stood - See commentary on 20:15

and they stood at the foot of [lit., “under”] the mountain - R. Avdima b. Chamma said: This teaches us that the Holy One Blessed be He inverted the mountain over their heads as a wine-barrel and said: “If you accept the Torah, good; if not, *there* shall be your graves!” (*Shabbath* 88a).<sup>36</sup>

19:19 And the sound of the shofar waxed exceedingly strong. Moses spoke, and G-d answered him in a voice.

and G-d answered him in a voice - R. Shimon b. Pazzi said: Whence is it derived that the translator is not permitted to raise his voice above that of the reader [in the Torah]? From: “Moses spoke, and G-d answered him in a voice.” What is the intent of: “in a voice”? In the same [loudness of] voice as Moses (*Berachoth* 45a).<sup>37,38</sup>

and G-d answered him in a voice - It was taught: Where in the Torah is the singing [of the Levites] ordained? Chania, the son of the brother of R. Yehoshua says: “And G-d answered him in a voice” — in *respect* to the voice [i.e., that he and his tribe (the Levites) serve the L-rd with song] (*Erchin* 11a).<sup>39,40</sup>

and G-d answered him in a voice - It was taught in the name of R. Yehudah: Wherever “answering” and “speaking” are referred to, the

language employed is Hebrew. R. Elazar said: The prototype for all the instances is: "Moses spoke, and G-d answered him in a voice" [the Torah being given in Hebrew] (*Yerushalmi Sotah* 7:2).<sup>41,42</sup>

19:20 And the L-rd descended upon Mount Sinai, to the top of the mountain. And the L-rd called to Moses to the top of the mountain; and Moses ascended.

And the L-rd descended - R. Yossi says: The Shechinah never descended [to earth], it being written (*Psalms* 115:16): "The heavens are the heavens of the L-rd." As to its being written: "And the L-rd descended upon Mount Sinai," [He went as far down as] ten ells above [the terrestrial sphere] (*Succah* 5a).<sup>43</sup>

19:22 And also the priests, who draw near to the L-rd, shall be in readiness, lest the L-rd break forth in them.

And also the priests - R. Yochanan b. Berokah says: This refers to the separation of the first-born [who, at that time, performed the Divine service]. Rabbi says: This refers to the separation of Nadav and Avihu [who were made priests at that time] (*Zevachim* 115b).<sup>44</sup>

20:1 And the L-rd spoke all these things, saying:

And the L-rd spoke, etc. - This teaches us that when sages assemble and occupy themselves with Torah, even though these declare unclean, and these, clean; these declare unfit, and these, fit; these forbid, and these permit — in spite of this, all was given by one G-d, as it is written: "And the L-rd spoke *all* these things" (*Chagigah* 3b).<sup>1</sup>

20:2 I am the L-rd your G-d who took you out of the land of Egypt from the house of bondage.

I - R. Yochanan said: Where is *notrikon* [acronyms] evidenced in the Torah? In; "I [*Anochi*] am the L-rd your G-d." *Anochi*" = *Ana nafshi chetivath yehevith* ["I, Myself, have given the writing" (i.e., the Torah).] The Rabbis say: *Amira neimah chetivah yehivah* ["A sweet

written pronouncement have I given"]. Others say: The acronym of *Anochi* is formed backwards, viz.: *Yehivah chetivah ne'emanim amarehah* ["I have given it in writing; its pronouncements are faithful"] (*Shabbath* 105a).<sup>2-5</sup>

I, etc. - Ulla Rabbah expounded: (*Psalms* 138:4): "All the kings of the earth praise You, O L-rd, for they have heard the pronouncements of Your mouth." [Why so?] When the Holy One Blessed be He said: "I am the L-rd your G-d" and: "There shall not be unto you any other gods before My Presence," the idol worshippers said: "He is seeking to aggrandize Himself"; but when He said: "Honor your father and your mother," they recanted and acknowledged the first pronouncement (*Kiddushin* 31a).<sup>6</sup>

I, etc. - It was taught: R. Yishmael says: (*Numbers* 15:31): "For he has despised the word of the L-rd" — this refers to an idolator. How is this apparent? From the teaching of the school of R. Yishmael, viz.: "For he has despised the word of the L-rd" — This refers to one who scorns the pronouncement made to Moses on Sinai: "I am the L-rd your G—d ... There shall not be unto you any other gods before My Presence" (*Sanhedrin* 99a).<sup>7</sup>

I, etc. - R. Simlai expounded: 613 [*taryag*] *mitzvot* were given to Moses on Sinai. R. Hamnuna said: Whence is this derived? From (*Deuteronomy* 33:4). "*Torah* was commanded to us by Moses" — the *gematria* [numerical equivalent] of "*Torah*" is 611; and "I am the L-rd" and "there shall not be ..." we heard from the mouth of the All-Powerful Himself [making a total of 613] (*Makkoth* 24a).<sup>8</sup>

I, etc. - It was taught: R. Levi said: Why are the sections of the *Shema* recited each day? Because the ten commandments are included in them: "I am the L-rd your G-d" — "Hear O Israel, the L-rd our G-d"; "There shall not be unto you any other gods" — "the L-rd is one"; You shall not take the name of the L-rd your G-d in vain" — "And you shall love the L-rd your G-d." One who loves his king does not swear falsely in his name; "Remember the day of Sabbath" — "so that you remember and do all of My *mitzvot*." Rabbi says: This is the *mitzvah* of Sabbath, which is equivalent to all the *mitzvot* of the Torah; "Honor your father and your mother" — "so that your days be increased, and the days of your children" [the like being stated in respect to the honoring of

parents]; “You shall not kill” — “and you go lost quickly.” One who kills is himself killed; “You shall not commit adultery” — “and do not go astray after your hearts and after your eyes”; “You shall not steal” — “and you shall gather in *your* corn,” and not that of your neighbor; “You shall not testify falsely against your neighbor” — “I am the L-rd your G-d,” and (*Jeremiah* 10:10): “And the L-rd G-d is true”; “You shall not covet your neighbor’s house” — “and you shall write them on the door-posts of *your* house,” and not the house of your neighbor (*Yerushalmi Berachoth* 1:1)<sup>9-16</sup>

**who took you out** - It was taught: Chanania the son of the brother of R. Yehoshua says: “I am the L-rd your G-d who took you out of the land of Egypt” — [“took you out”] is written *hotzeh-itecha* [“I went out with you”] (*Yerushalmi Succah* 4:3).<sup>17</sup>

**of the land of Egypt** - It was taught: R. Yehoshua b. Levi said: When Moses ascended on high to receive the Torah, the ministering angels said to the Holy One Blessed be He: “L-rd of the Universe, this hidden treasure that is Yours — You wish to give it to flesh and blood!” Whereupon the Holy One Blessed be He said to Moses: “*You* answer them!” He said to them: “What is written in this Torah? ‘I am the L-rd your G-d who took you out of the land of Egypt.’ Did you ever go down to Egypt? What else is written in it? ‘There shall not be unto you any other gods.’ Do you reside among the nations, who serve idols? What else is written in it? ‘Remember the day of Sabbath to keep it holy.’ Is there any work that you do that you need to rest? What else? ‘You shall not take the name of the L-rd your G-d in vain.’ Are there any business dealings among you [that you need to swear]? What else? ‘Honor your father and your mother.’ Do you have parents? What else? ‘You shall not kill,’ ‘You shall not commit adultery,’ ‘You shall not steal.’ Is there any envy among you? Is there an evil inclination in you?” At this, they immediately acquiesced to the Holy One Blessed be He (*Shabbath* 88b).<sup>18</sup>

**20:3 There shall not be unto you any other gods before My Presence.**

**There shall not be unto you** - If it is written (4): “You shall not make for yourself an idol, etc.”, why need it also be written: “There shall not

be unto you, etc.”? For I might think that only the *making* is forbidden. How would I know that what is already made may not be kept? For this reason it is written: “There shall not *be* unto you” (*Mechilta*).<sup>19</sup>

**any other gods** - Now are there any other gods? Is it not written (*Isaiah* 37:19): “for they are not gods”? [The intent is that] others *call* them gods (*Ibid.*).<sup>20</sup>

**before My Presence** - Why is this stated? [It is stated] so that Israel be given no pretext to say that idol worship was proscribed only for those who left Egypt. This is the intent of “before My Presence,” i.e., Just as I endure forever, so you, and your children, and your children’s children, to the end of time, are forbidden to serve idols (*Ibid.*).<sup>21</sup>

20:4 You shall not make for yourself an idol or any likeness that is in the heavens above or in the earth below, and that is in the water beneath the earth.

**You shall not make for yourself an idol** - It was taught: If one says: “Come and worship me,” if they worship him, he is liable [for inciting to idol worship], it being written: “You shall not make (for) *yourself* an idol.” But if [he is worshipped] by words, he is not liable, for words are not substantive (*Sanhedrin* 61a).<sup>22</sup>

**or any likeness** - What is the intent of this? From: “You shall not make yourself an idol,” I might think that he may not make one that projects, but he may make one that is flat; it is, therefore, written: “or any likeness” (*Mechilta*).<sup>23</sup>

**that is in the heavens above** - “that is in the heavens” — to include sun, moon, stars, and constellations; “above” — to include the ministering angels (*Avodah Zarah* 43b).<sup>24</sup>

**or in the earth below** - “or in the earth” — to include seas and rivers, mountains and hills; “below” — to include small worms (*Ibid.*).<sup>25</sup>

**and that is in the water beneath the earth** - to include reflections. These are the words of R. Akiva. Others say: to include *shavririm* [minuscule water animals]. To such an extent did the Holy One Blessed

be He pursue the evil inclination, to allow it no pretext for permitting [any form of idol worship] (*Mechilta*).<sup>26-28</sup>

20:5 Do not bow down to them and do not serve them, for I am the L-rd your G-d, a jealous G-d, visiting the sins of the fathers upon the children, for the third and the fourth generations to those who hate Me.

**Do not bow down to them** - It was taught: "Do not bow down to them." You may not bow down to *them*, but you may bow down to a man such as yourself. I might then think that it is permitted to serve him [as a god], as in the case of Haman; it is, therefore, written: "and do not serve them" (*Sanhedrin* 61b).<sup>29</sup>

**Do not bow down to them** - Abbaye said: Why is [the prohibition of] bowing down mentioned three times in respect to idol worship? Once [to posit liability] for [a combination of] the conventional and an unconventional mode [of bowing down]; again, for an [entirely] unconventional mode; and, again, to distinguish [between different types of service, i.e., to impose distinct sin-offerings (and not just one) for distinct acts of worship, such as bowing down, sacrificing, and the like] (*Ibid.* 63b).<sup>30-32</sup>

**Do not bow down to them** - Now bowing down is included in: "and do not serve them." Why, then, is it singled out for special mention? To teach that just as one is liable for bowing down itself, so he is liable for every distinct act of worship [see above] (*Yerushalmi Sanhedrin* 7:9).<sup>33</sup>

**and do not serve them** - Rava said: Everything [i.e., both voluntary service and service under compulsion] was included in: "and do not serve them." And when Scripture specified (*Leviticus* 18:5): "And he shall *live* through them" [i.e., the *mitzvot*] — and not *die* through them, service under compulsion was excluded [from punishment]; but then it was stated (*Ibid.* 22:32): "and you shall not desecrate My holy name" — [the implication being, in *any* way,] even with service under compulsion. How is this to be resolved? The first ["And he shall *live* through them"] refers to [one who is being compelled] in private; the second ["and you shall not desecrate"] refers to [one who is being

compelled] in public [in which instance compliance incurs the death penalty] (*Avodah Zarah* 54a).<sup>34</sup>

**visiting the sins of the fathers** - One verse states: “visiting the sins of the fathers upon the children,” and, another (*Deuteronomy* 24:16): “and children shall not die because of the fathers”! How is this to be reconciled? The first refers to children who perpetuate their fathers’ [evil] ways; the second, to those who do not (*Berachoth* 7a).<sup>35</sup>

**visiting the sins of the fathers** - R. Yossi b. R. Chanina said: Moses decreed a decree, and a prophet came and annulled it. Moses said: “visiting the sins of the fathers upon the children”; and Ezekiel came and annulled it, as it is written (*Ezekiel* 18:20): “The soul that sins, it [alone] shall die” (*Makkoth* 24a).<sup>36</sup>

20:6 And doing lovingkindness for thousands, for My lovers and the keepers of My Mitzvoth.

**And doing lovingkindness for thousands** - G-d’s measure of reward is five-hundred fold greater than His measure of punishment. In respect to the latter, it is written: “visiting the sins of the fathers upon the children, for the third and the fourth generations,” whereas, in respect to the former, it is written: “and doing lovingkindness for thousands” [implying at least two thousand] (*Tosefta Sotah* 4).<sup>37</sup>

**for thousands, for my lovers** - It was taught: R. Shimon b. Elazar says: Greater is he who serves G-d from love than from fear, the [merit of] the second extending for a thousand generations, and that of the first, for thousands. In respect to the first, it is written: “for thousands, for the lovers and the keepers of My mitzvot,” and, in respect to the second (*Deuteronomy* 7:9): “and, for the keepers of My mitzvot [out of fear], for a thousand generations” (*Sotah* 31a).<sup>38</sup>

20:7 You shall not take the name of the L-rd your G-d in vain; for the L-rd shall not cleanse the one who takes His name in vain.

**You shall not take** - R. Yochanan and Resh Lakish both say: One who

makes an unnecessary blessing transgresses: "You shall not take ..." (*Berachoth* 33a).<sup>39</sup>

**You shall not take [tisa]** - [From here it is seen that "*tisa*" signifies an oath] (*Shabbath* 120a).<sup>40</sup>

**You shall not take** - All of the positive and the negative commandments are [if violated] in the class of the "lesser" transgressions; and all *mitzvot*, transgression of which is punishable by cutting-off or judicial death penalty — and: "You shall not take ...", among them — in the class of the "greater" transgressions [This has various halachic implications] (*Shevuoth* 39a).<sup>41</sup>

**You shall not take** - The Rabbis taught: One who elects to take an oath is told [by *beth-din*, as an attempted deterrent]: Be it known to you that the entire universe trembled when the Holy One Blessed be He said: "You shall not take the name of the L-rd your G-d in vain." Why so? For in respect to all the other transgressions, it is written (34:7): "and He shall cleanse"; whereas here [in respect to vain oaths] it is written: "the L-rd shall not cleanse" (*Ibid.*).<sup>42</sup>

**in vain** - When Ravin came, R. Yochanan said: If one swears: "I ate" or "I did not eat" [and the opposite is the case], this is a false oath, and its exhortation is (*Leviticus* 19:12): "And do not swear falsely in My name." And which is a *vain* oath? Swearing to that which is at variance with what is known to man [i.e., at variance, not only with actual fact, but even with *theoretical* reality] (*Ibid.* 21a).<sup>43</sup>

**for the L-rd shall not cleanse** - It was taught: Because it is written in respect to Chorev [i.e., in respect to the revelation to Moses at Mount Chorev (Sinai)], that if one repents he will be cleansed, I might think that the same applies to: "You shall not take ..." — it is, therefore, written: "for the L-rd shall not cleanse." I might then think that the same applies to [violation of] *all* negative commandments; it is, therefore, written: "His name" — He does not cleanse [the profaner of] *His name*, but He does cleanse [upon repentance] the transgressors of the other negative commandments (*Yoma* 86a).<sup>44,45</sup>

for the L-rd shall not cleanse - Why are oaths more stringent than vows? For in respect to oaths it is written: "the L-rd shall not cleanse" (*Nedarim* 18a).<sup>46</sup>

for the L-rd shall not cleanse - "The L-rd shall not cleanse," but the terrestrial tribunal administers stripes and cleanses him. From here it is derived that if one swears in vain — even though this is transgression of a negative commandment unaccompanied by an act [for which, normally, stripes are not given] — in this instance, stripes are administered. This tells us of a *vain* oath. Whence do we derive the same *halachah* for a false oath [See (43) above]? From: "in vain," "in vain," twice. If it [the second "in vain"] cannot apply to a *vain* oath, apply it to a false oath (*Shevuoth* 21a).<sup>47</sup>

20:8 Remember the day of Sabbath to sanctify it.

Remember the day of Sabbath - R. Adda b. Ahavah said: Women are obligated by the Torah in the sanctification of the Sabbath day [*"kiddush"*]. And though this is a time-oriented positive commandment [from which women are normally exempt], it is different here, being written: "Remember" and (*Deuteronomy* 5:12): "Keep [the Sabbath day]". Whoever is included in "Keep" [abstention from labor] is included in "Remember" [*kiddush*]; and women, since they are included in "Keep," are included in "Remember" (*Berachoth* 20b).<sup>48,49</sup>

Remember the day of Sabbath - R. Shimon b. Yochai saw a man pick two bundles of myrtle and start running on twilight of Sabbath eve. He asked: What are these for? The other answered: For the honor of Sabbath. Resh Lakish: Is one not enough? The other: One for "Remember," the other for: "Keep" (*Shabbath* 33b).<sup>50,51</sup>

Remember the day of Sabbath - And elsewhere it is written [in respect to the exodus] (13:3): "Remember this day." Just as there, the "day" is the day itself [of the exodus]; here, too, the "day" is the day itself — from which we derive that the Torah was given to Israel on the Sabbath (*Ibid.* 86b).<sup>52</sup>

Remember the day of Sabbath - The Rabbis taught: "Remember the day of Sabbath to sanctify it" — Remember it with wine upon its

advent. This tells me only of [*kiddush* for] the evening. Whence do I derive it for the day? From: "Remember the *day* of Sabbath" (*Pesachim* 106a).<sup>53</sup>

**Remember the day of Sabbath** - R. Acha b. Yaakov said: The exodus from Egypt must be mentioned in the Sabbath *kiddush*, it being written in respect to the first (*Deuteronomy* 16:3): "so that you remember the *day* of your going out of Egypt," and, in respect to the second: "Remember the *day* of Sabbath to sanctify it" (*Ibid.* 117b).<sup>54</sup>

**Remember the day of Sabbath** - If a festival is to fall out on Sabbath eve [Friday], one cooks something on the eve of the festival [Thursday] for the sake of the Sabbath. Whence is this derived? From: "Remember the day of Sabbath to sanctify it" — Remember it in an instance where you might come to forget it [because of the festival, as in the above instance]. Our sages here found Scriptural support for the *eruv tavshilin* [See commentary (34) on 16:23] (*Beitzah* 15b).<sup>55</sup>

**Remember the day of Sabbath** - [It was taught: "Remember" and "Keep" (*Deuteronomy* 5:12) were stated in one pronouncement — that which the mouth cannot utter nor the ear hear (*Shevuoth* 20b).<sup>56</sup>

**Remember the day of Sabbath** - [In the first Decalogue, it is written: "Remember," and, in the second: "Keep (the Sabbath day)".] "Remember" in the beginning; "Keep" at the end — whence our sages ordained: Add from the profane [the week-day] to the holy [the Sabbath] (*Mechilta*).<sup>57</sup>

**Remember the day of Sabbath** - R. Yitzchak says: "Remember the day of Sabbath" — Do not count [the days of the week] as others do [i.e., Sunday, Monday, etc.], but count them in respect to Sabbath [i.e., "the first of the Sabbath," "the second of the Sabbath," etc.] (*Ibid.*).<sup>58</sup>

**Remember the day of Sabbath** - If "Remember" [alone were written], I might think that "remembrance of the heart" [and not verbal remembrance] were intended. But "Keep the Sabbath day" already subsumes remembrance of the heart. How, then, is "Remember" to be understood? As signifying verbal remembrance [i.e., *kiddush*] (*Torath Cohanim, Bechukothai* 26:3).<sup>59</sup>

to sanctify it - with a blessing, whence it is derived that the Sabbath is sanctified with wine [i.e., *kiddush*] upon its advent (*Ibid.*).<sup>60</sup>

20:9 Six days shall you work, and you shall do all of your work.

and you shall do all of your work - Now is it possible for a man to do all of his work in six days! [The meaning is, rather:] Rest on the Sabbath as if all of your work has been done (*Ibid.*).<sup>61</sup>

and you shall do all of your work - If it is already stated: "Six days shall you work," why need it be further stated: "and you shall do all of your work"? To tell us that if one possesses [only] unproductive property or fields, let him [nonetheless] go and occupy himself with them [in the six work days] — for men die only from inactivity (*Avoth d. R. Nathan* 11).<sup>62</sup>

20:10 And the seventh day is Sabbath to the L-rd your G-d. You shall not perform any labor: you, and your son, and your daughter, your man-servant, and your maid-servant, and your beast, and your sojourner in your gates.

And the seventh day is Sabbath - "And the seventh day" — this is an exhortation against the labor of the day; "Sabbath to the L-rd" — this is an exhortation against the labor of the night [i.e., Friday night] (*Mechilta*).<sup>63</sup>

Sabbath to the L-rd - What is the intent of: "Sabbath to the L-rd"? R. Avahu said: Resting as the L-rd. Just as He rested from pronouncements [in the creation of the universe], so, you rest from [week-day] speech (*Yerushalmi Shabbath* 15:3).<sup>64</sup>

You shall not perform - "You shall not perform" implies that only active performance is forbidden, but *grama* [contribution to performance, such as putting up a barrier which will cause a fire threatening one's property to be extinguished (without his extinguishing it himself)] is permitted (*Shabbath* 120a).<sup>65</sup>

**You shall not perform** - R. Yossi said: It is written: "You shall not perform," but if it is performed of itself [on Sabbath, through an action of yours on Sabbath eve (such as opening a faucet on Friday, which will cause one's garden to be watered on the Sabbath)], it is permitted (*Yerushalmi Shabbath* 2:1).<sup>66</sup>

**You shall not perform any labor** - The primal labors forbidden on the Sabbath are thirty-nine, corresponding to the sum total of "labor," "his labor," and "the labor of" mentioned in the Torah (*Shabbath* 49b).<sup>67</sup>

**You shall not perform any labor** - It was taught in the school of R. Yishmael: "You shall not perform any labor" — to exclude the blowing of a shofar and the extraction of a loaf [from the oven], which are not labors, but arts (*Ibid.* 117b).<sup>68</sup>

**You shall not perform any labor** - Rabbah said: This is an exhortation against *muktzeh* [See commentary on 16:5] (*Pesachim* 47b).<sup>69</sup>

**and your son and your daughter** - This refers to minors. [How do we know this?] Perhaps grown children are intended. This cannot be, for these are independently exhorted. In our instance, then, it must be that parents are being exhorted vis à vis their young children] (*Mechilta*).<sup>70</sup>

**your man-servant and your maid-servant** - who are "children of the covenant." But perhaps it refers to an uncircumcised man-servant! [This cannot be, for] "and the son of your maid-servant shall be refreshed" (23:12) already refers to an uncircumcised man-servant (*Ibid.*).<sup>71</sup>

**and your beast** - This is an exhortation against one leading his [laden] beast on the Sabbath. But transgression is not punishable by stripes. Why so? For this ["You shall not perform any labor"] is a negative commandment subject to exhortation in monition of judicial death penalty, transgression of which is not punishable by stripes. And even according to those who hold that such a commandment is punishable by stripes, in this instance it could have been written: "You shall not perform any labor, and your beast." Why: "*you* (and your beast)"? [To tell us that] it is only *he* who is liable [i.e., Only if he himself performs the labor is he liable], and not [if he causes labor to be performed by] his beast (*Shabbath* 153-154b).<sup>72-74</sup>

**and your beast** - And in the second Decalogue it is written (5:14): “and your ox and your ass and all of your beasts.” Now are not ox and ass in the class of all beasts? Why, then, were they singled out for special mention? To teach that just as with ox and ass mentioned here, animal and bird are similar to them [with respect to the *halachah*, it being written: “and *all* of your beasts”], so, wherever [ox and ass are mentioned], animal and bird are similar to them (*Bava Kamma* 54b).<sup>75,76</sup>

**and your sojourner in your gates** - This is a *ger tzedek* [“a righteous sojourner,” one who has converted to Judaism]. But perhaps it is a *ger toshav* [“a resident sojourner,” one who does not serve idols and who observes the seven Noachide laws]? [This cannot be, for] (23:12): “and the son of your maid-servant shall be refreshed, and the *sojourner*” already speaks of a *ger toshav* (*Mechilta*).<sup>77</sup>

20:11 For six days did the L-rd make the heavens and the earth, the seas and all that is in them, and He rested on the seventh day. For this, the L-rd blessed the day of Sabbath and He sanctified it.

For this, the L-rd blessed - “blessed ... and He sanctified it” — He blessed it with the manna [by providing a double portion on the sixth day], and He sanctified it with the manna [by not having it fall on the Sabbath] (*Ibid.*).<sup>78</sup>

20:12 Honor your father and your mother so that your days be prolonged on the earth that the L-rd your G-d gives to you.

**Honor your father** - The Rabbis taught: It is written: “Honor your father and your mother,” and (*Proverbs* 3:9): “Honor the L-rd from your wealth.” Scripture hereby likens honor of father and mother to that of the Holy One Blessed be He (*Kiddushin* 30b).<sup>79</sup>

**Honor your father** - The Rabbis taught: What constitutes “honor”? Feeding and giving to drink, clothing and covering, leading in and leading out (*Ibid.* 31b).<sup>80</sup>

**Honor your father** - It was taught: It is written: "Honor your father and your mother," and (*Proverbs* 3:9): "Honor the L-rd from your wealth." Just as there, expenditure is indicated, here, too, expenditure is assumed (*Ibid.* 32a).<sup>81</sup>

**Honor your father** - It was taught: R. Shimon b. Yochai says: Great is the honoring of father and mother, the Holy One Blessed be He having preferred it to His own honor. For with respect to *His* honor it is written (*Proverbs* 3:9): "Honor the L-rd from your wealth." "From your *wealth*" — If you have [money], you are obligated [in the performance of *mitzvot* entailing expense], and if not, you are exempt. In respect to the honoring of parents, however, it is written: "Honor your father and your mother" — even if you must go collecting from door to door [in order to do so] (*Yerushalmi Peah*).<sup>82,83</sup>

**Honor your father** - And with respect to fear it is written (*Leviticus* 19:3): "A man, his mother and his father, you shall fear." This tells me only of a man. Whence do we derive [for inclusion in the *halachah*] a woman, a *tumtum* [one whose sex is in doubt], and a hermaphrodite? From: "Honor your father and your mother" — everyone (*Mechilta*).<sup>84</sup>

**Honor your father** - It was taught: Rebbi says: It is revealed and known to Him who spoke and caused the world to come into being that a son honors his mother more than he does his father, for he can cajole her with words. For this reason He placed the honor of one's father before that of one's mother (*Kiddushin* 31a).<sup>85</sup>

**your father and your mother** - It was taught: "Honor your father and your mother": "*eth avicha*" [lit., "with your father"] — to include your father's wife [i.e., your stepmother]; "*ve'eth imecha*" [lit., "and with your mother"] — to include your mother's husband [i.e., your stepfather]; the extra *vav* ["*ve'eth*"] — to include your older brother (*Kethuvot* 103a).<sup>86</sup>

**so that your days be prolonged** - And if not, they will be shortened. For thus is Scripture expounded: From the positive, the negative is assumed; and from the negative, the positive (*Mechilta*).<sup>87</sup>

**so that your days be prolonged** - And *beth-din* is not exhorted to this end [i.e., to force one to honor his parents]; for thus have they [the

sages] said: Beth-din is not exhorted to the end of any *mitzvah* whose reward is stated alongside it (*Ibid.*).<sup>88</sup>

so that your days be prolonged - See commentary on *Deuteronomy* 5:16

20:13 You shall not kill; You shall not commit adultery; You shall not steal; You shall not testify against your neighbor false testimony.

**You shall not commit adultery [lo tinaf]** - It was taught: Shimon b. Tarfon says: Whence is derived the exhortation against procuring for adultery [pimping]? From: "*lo tinaf*" — [similar to] "*lo ta'anif*" ["You shall not cause to commit adultery"] (*Shevuoth* 47b).<sup>89</sup>

**You shall not commit adultery** - It was taught in the school of R. Yishmael: "You shall not commit adultery" — There shall be no adultery about you, both [masturbation] by hand or by foot (*Niddah* 13b).<sup>90</sup>

**You shall not steal** - Stealing of souls [i.e., kidnapping] is being referred to; for as far as stealing of money is concerned, this is subsumed in (*Leviticus* 19:11): "You shall not steal" (*Sanhedrin* 86a).<sup>91</sup>

**You shall not testify against your neighbor** - This is an exhortation vis à vis scheming witnesses [*edim zomemin* (*Deuteronomy* 19:19)] (*Makkoth* 4b).<sup>92</sup>

**You shall not testify against your neighbor** - R. Yossi b. Chanina said: All were included in: "You shall not testify against your neighbor false testimony." A false prophet was singled out for *special* mention [in this regard] to make him liable for the death penalty (*Yerushalmi Sanhedrin* 11:6).<sup>93</sup>

**You shall not testify against your neighbor** - All were included in: "You shall not testify against your neighbor false testimony." Singled out for special mention was [the instance of scheming witnesses, in respect to which it is written] (*Deuteronomy* 19:19): "and you shall do to him as he thought to do to his brother" — Wherever "and you shall do to him ..." can be fulfilled, "You shall not testify ..." obtains; and wherever "and you shall do to him ..." cannot be fulfilled, "You shall not testify ..." does not obtain (*Yerushalmi Makkoth* 1:1).<sup>94</sup>

**false testimony** - [And in the second Decalogue it is written (*Deuteronomy* 5:17): "And you shall not testify against your neighbor *vain* testimony], whence we derive that "vain" and "false" were stated in one pronouncement, that which the mouth cannot utter, nor the ear hear (*Yerushalmi Nedarim* 3:2).<sup>95</sup>

**20:14** You shall not covet your neighbor's house. You shall not covet your neighbor's wife, and his man-servant, and his maid-servant, and his ox, and his ass, and all that belongs to your neighbor.

**You shall not covet** - To people, "You shall not covet" implies [coveting something] without paying for it (*Bava Metzia* 5b).<sup>96</sup>

**You shall not covet** - And in the second Decalogue it is written (*Deuteronomy* 5:18): "And you shall not covet ... and you shall not lust," to establish liability for the coveting in itself and for the lusting in itself (*Mechilta*).<sup>97</sup>

**You shall not covet** - I might think even by word [without act]; it is, therefore, written (7:25): "You shall not covet the silver and gold upon them and *take them*." Just as there, transgression is conditional upon act, here, too (*Ibid.*).<sup>98</sup>

**20:15** And all the people saw the thunder, and the lightning, and the sound of the shofar, and the mountain smoking. And the people saw, and they shuddered, and they stood far off.

**And all the people saw** - whence we derive that there were no blind ones among them. And whence do we derive that there were no mute ones among them? From (19:8): "And all the people answered." And whence do we derive that there were no deaf ones among them? From (24:7): "We shall do and we shall hear." And whence is it derived that there were no lame ones among them? From (19:17): "And they stood at the foot of the mountain." And whence is it derived that there were no ignorant ones among them? From (*Deuteronomy* 4:35): "You have been shown to know" (*Ibid.*).<sup>99</sup>

20:17 And Moses said to the people: Do not fear, for in order to exalt you did G-d come, and so that His fear be upon your faces, that you not sin.

**and so that His fear be** - There are three distinguishing features characterizing the Jewish people. They are merciful, shame-faced, and kind. "Shame-faced" — as it is written: "and so that His fear be upon your faces" (*Yevamoth* 79a).<sup>100</sup>

**and so that His fear be** - It was taught: "and so that His fear be upon your faces" — this is shame"; "that you not sin" — This teaches us that shame leads to fear of sin. Others say: If one is without shame, for a certainty his ancestors did not stand at Mount Sinai (*Nedarim* 20a).<sup>101</sup>

20:20 You shall not make with Me. Gods of silver and gods of gold you shall not make for yourselves.

**You shall not make with Me** - Do not make the likenesses of My servants that serve Me on high, such as the Ofanim [angels], the seraphs, the holy creatures, the sun, the moon, the stars, and the constellations (*Avodah Zarah* 43b).<sup>102</sup>

**You shall not make with Me** - It is permitted to make likenesses of all faces, except that of a man. Whence is this derived? R. Huna the son of R. Yehoshua said: From: "You shall not make *with Me*" — [similar, in the Hebrew, to] "You shall not make *Me*" [i.e., "*man*," who was created in My image] (*Avodah Zarah* 43b).<sup>103</sup>

**You shall not make with Me** - R. Akiva says: Do not do with Me as others do. When they meet with good, they honor their gods; and when they meet with ill, they curse them. But you, both in good and ill fortune, give thanks (*Mechilta*).<sup>104</sup>

**Gods of silver, etc.** - Now are gods of wood permitted! R. Ashi said: [The allusion is to] gods [i.e., judges] that are *made by* silver, and gods that are *made by* gold (*Sanhedrin* 7b).<sup>105</sup>

**Gods of silver, etc.** - R. Manna would demean those judges who had been appointed by money. R. Ammi would apply to them the verse:

"Gods of silver and gods of gold you shall not make for yourselves" (*Yerushalmi Bikkurim* 3:1).<sup>106,107</sup>

you shall not make for yourselves - What is the intent of "for yourselves"? Do not say: Since the Torah has permitted making them [figures of the cherubs] for the Temple, I shall make them for synagogues and for houses of study; it is, therefore, written: "Do not make for yourselves" (*Mechilta*).<sup>108,109</sup>

20:21 An altar of earth shall you make for Me, and you shall slaughter thereon your burnt-offerings and your peace-offerings, your sheep and your cattle. In every place where I shall mention My name, I shall come to you, and I shall bless you.

**An altar of earth** - All the vessels in the Temple required immersion [after a festival, having been touched by the ignorant], except the golden altar and the copper altar. The copper altar, because it is written: "An altar of earth shall you make for Me." [And though the intent is: a *copper* altar *upon* the earth, still, since it is referred to as "an altar of earth," it (as all earthenware vessels) does not require immersion]. The golden altar, because it is written (*Numbers* 3:31): "and the *altars*" — The altars are likened to each other (*Chagigah* 27a).<sup>110-112</sup>

**An altar of earth** - R. Anan said: If one is buried in Eretz Yisrael, it is as if he were buried beneath the altar [which atones], it being written here: "An altar of earth shall you make for Me," and, [in respect to burial,] (*Deuteronomy* 32:43): "And His earth [i.e., the earth of Eretz Yisrael,] will atone for His people" (*Kethuvoth* 111a).<sup>113</sup>

**An altar of earth** - What is the intent of: "An altar of earth"? That it be fixed upon the earth, and not built over mounds or caves (*Zevachim* 61b).<sup>114</sup>

shall you make for Me - Specifically for Me, and not for another [i.e., for any other purpose] (*Mechilta*).<sup>115</sup>

and you shall slaughter thereon - Now is it "*thereon*" [i.e., on the top] that you slaughter? [Is the slaughtering not done on its side?] [The

intent is that the slaughtering is valid only] when the altar is perfect and not defective. From here it is derived that all offerings slaughtered on a defective altar are rendered invalid (*Zevachim* 59a).<sup>116,117</sup>

**and you shall slaughter thereon** - “thereon” — alongside [the top]. But perhaps it is to be understood as literally “thereon”? [This cannot be, for] it is written (*Deuteronomy* 12:27): “And you shall offer your burnt-offerings — the flesh and the blood — upon the altar”: “the flesh and the blood *upon* [i.e., on the top of] the altar,” and not slaughtering upon the altar (*Mechilta*).<sup>118</sup>

**your burnt-offerings, etc.** - Higher-order offerings which were slaughtered at the head of the altar are valid, as if they had been slaughtered on the north side [of the altar as prescribed]. Whence is this derived? From: “and you shall slaughter thereon your burnt-offerings and your peace-offerings” — All of it [is valid] for burnt-offerings, and all of it for peace-offerings (*Zevachim* 58a).<sup>119</sup>

**In every place, etc.** - It was taught: Hillel the elder said: The Holy One Blessed be He said to Israel: If you come to My house, I will come to your house; and if *you* do not come I, *too*, will not come, as it is written: “In every place where I shall mention My name, I shall come to you, and I shall bless you” (*Succah* 53a).<sup>120</sup>

**In every place, etc.** - “In every place?” [i.e., Is it not the Temple alone where the Name is invoked?] The verse is an inverted one, viz.: “Wherever I come to you and bless you, there will I cause My name to be mentioned” [by the priests]. And where is it that I shall come to you? The Temple (*Sotah* 38a).<sup>121,122</sup>

**where I shall mention** - It is not written: “where *you* shall mention,” but: “Where *I* shall mention” — whence it is derived that one should pray in a place especially designated for prayer (*Yerushalmi Berachoth* 4:4).<sup>123</sup>

**I shall come to you, and I shall bless you** - Whence is it derived that even if one Jew sits and occupies himself with Torah the Shechinah is with him? From: “In every place where I shall mention My name, I shall come to you, and I shall bless you” (*Berachoth* 6a).<sup>124</sup>

**20:22** And if an altar of stones you make for Me, do not build them hewn; for if you lift your sword upon it, you have desecrated it.

**And if an altar of stones** - It was taught: R. Eliezer b. Yaakov says: Why are "stones," "stones," "stones," mentioned three times in respect to the altar? One for the sanctuary of Shiloh, one for that of Nov and Gibeon, and one for the Temple (*Zevachim* 61b).<sup>125,126</sup>

**And if an altar of stones** - It was taught: R. Yishmael says: Every "if" in the Torah connotes optionality, except for three, this being one of them [for it is *mandatory* that it be built of stone]. Why, then, is it written: "if"? To teach that if so desired, it may be built of stones and if desired, it may be built of bricks (*Mechilta*).<sup>127,128</sup>

**do not build them hewn** - "*It*" [i.e., the altar] you may not build hewn, but you may build the sanctuary and holy of holies hewn (*Ibid.*).<sup>129</sup>

**do not build them hewn** - I might think that if he built them hewn the entire altar is unfit; it is, therefore, written: "do not build *them*" — *they* are unfit, but the entire altar is not unfit (*Ibid.*).<sup>130</sup>

**hewn [gazith]** - What is "*gazith*"? "Cut," by having iron lifted upon them [to cut them] (*Ibid.*).<sup>131</sup>

**for if you lift your sword upon it** - It was taught: R. Shimon b. Elazar says: The altar was created to prolong one's years, and the sword, to shorten them. Therefore, the shortener may not be lifted over the lengthener (*Mechilta*).<sup>132</sup>

**20:23** And you shall not go up with steps on My altar, so that your nakedness not be revealed upon it.

**And you shall not go up with steps** - It follows, *a fortiori*, that what is *patently* unseemly is forbidden there. From here it is derived that a Nazirite may not shave at the door of the tent of meeting (*Nazir* 45a).<sup>133</sup>

**And you shall not go up with steps** - In praying [the *Amidah*], one must place his feet together, as the priests did, it being written in respect to them: "And you shall not go up with steps on My altar." They would walk [up the ramp] heel-by-toe (*Yerushalmi Berachoth* 1:1).<sup>134</sup>

**And you shall not go up with steps** - From here it was derived: Make a ramp for the altar (*Mechilta*).<sup>135</sup>

**so that your nakedness not be revealed** - What is the intent of this? Is it not already written (28:42): “And make for them trousers of linen”? The intent is that they not take broad strides, but walk heel-by-toe (*Mechilta*).<sup>136</sup>

**so that your nakedness not be revealed upon it** - What is the intent of “upon it”? Upon *it* [i.e., the altar] you may not take broad strides, but you may do so in the sanctuary and in the holy of holies (*Ibid.*).<sup>137</sup>

## **Mishpatim**

**21:1** And these are the judgments which you shall place before them.

**And these** - It was taught: R. Yishmael says: "*And these*" — What follows is being added to what precedes, viz., just as what precedes was stated at Sinai, so, what follows (*Mechilta*).<sup>1</sup>

**And these are the judgments** - Bar Kappara expounded: Whence is derived the sages' dictum: "Be patient in judgment"? From (20:23): "And you shall not go up with steps," followed by: "And these are the judgments" (*Sanhedrin* 7b).<sup>2</sup>

**And these are the judgments** - R. Elazar said: Whence is it derived that a judge [in order to get to his seat] should not step over the heads of the holy people [who used to sit on the ground to hear the discourse]? From: "And you shall not go up with steps," followed by: "And these are the judgments" (*Ibid.*).<sup>3</sup>

**And these are the judgments** - It was taught: Monetary litigations are presided over by three judges, and litigations of theft and injuries, by three. [Now are not monetary litigations and those of theft and injuries one and the same? (Why, then, list them separately?)] R. Shimon b. Yochai taught: They are listed in the order of their appearance in Scripture, as it is written: "And these are the judgments" [followed by money litigations per se, and then by those of theft and injuries] (*Yerushalmi Sanhedrin* 1:1).<sup>4,5</sup>

**And these are the judgments** - It was taught: Whence is it derived that the Great Sanhedrin presided in proximity to the altar? From: "And you shall not go up with steps on My altar," followed by: "And these are the judgments" (*Yerushalmi Makkoth* 2:6).<sup>6</sup>

**which you shall place** - Should it not be written: "which you shall

*teach*”? The reference is to the “tools” of the judges [i.e., the whip for the administration of stripes, the shofar for excommunication, etc.] (*Sanhedrin* 7b).<sup>7</sup>

**which you shall place before them** - It was taught: Whence is it derived that a teacher must give reasons for his statements to his students [and not just utter them as fiat]? From: “And these are the judgments which you shall place before them” [Set them on the table, as it were, for ease of observation] (*Eruvin* 54b).<sup>8</sup>

**which you shall place before them** - It was taught in the school of R. Eliezer: “And these are the judgments which you shall place before them” — From here it is derived that the Torah equates women to men in respect to all the [monetary] laws of the Torah (*Kiddushin* 35a).<sup>9</sup>

**which you shall place before them** - It was taught: R. Tarfon used to say: Wherever you find gentile courts, though their laws be like those of the Jews, you may not resort to them, it being written: “And these are the judgments which you shall place before them” — before *them* [i.e., a duly constituted Jewish court], and not before gentiles; before *them*, and not before laymen [unversed in the law] (*Gittin* 88b).<sup>10,11</sup>

**which you shall place before them** - It was taught: R. Shimon b. Yochai says: “And these are the judgments which you shall place before them” — Just as this “placing” is not evidenced by all, so you are permitted to steep yourself in words of Torah only before those who are worthy (*Yerushalmi Avodah Zarah* 2:7).<sup>12</sup>

**which you shall place before them** - It was taught: Whence is it derived that a teacher must arrange his teaching for his students as a set table? From (*Deuteronomy* 4:35): “You *have been shown* to know,” and: “And these are the judgments which *you shall place* before them” (*Mechilta*).<sup>13</sup>

21:2 If you buy a Hebrew man-servant, six years shall he serve, and on the seventh shall he go out free, without charge.

If you buy - Scripture here speaks of one sold by *beth-din* [to pay for what he has stolen]; but one who sells himself [because of poverty] is

dealt with in (*Leviticus* 25:39): “And if your brother grow poor among you and sell himself to you ...” (*Ibid.*).<sup>14</sup>

If you buy a servant - I might think that you may call him “servant,” demeaningly; it is, therefore, written: “And if your brother grow poor among you and sell himself to you” — Treat him as a brother. I might then think that the servant may deport himself [casually] as a brother; it is, therefore, written: “If you buy a *servant*” (*Ibid.*).<sup>15</sup>

a Hebrew man-servant - Is it: “a servant who is a Hebrew,” or: “the servant of a Hebrew” [i.e., even a gentile servant]? It is written (*Deuteronomy* 15:12): “If there be sold to you your brother, the Hebrew.” Just as there, a servant who is a Hebrew; here, too, a servant who is a Hebrew (*Ibid.*).<sup>16</sup>

a Hebrew man-servant - It was taught: Whence is it derived that when you buy a servant, you should choose a Hebrew one? From: “If you buy a servant, a Hebrew” (*Sifrei, Re'eh*).<sup>17</sup>

six years shall he serve - It was taught: Whence is it derived that a runaway servant must make up [the full six years of service]? From: “six years shall he serve.” I might think [that they must be made up] even if he were sick; it is, therefore, written: “and on the seventh shall he go out” (*Kiddushin* 17a).<sup>18</sup>

six years shall he serve - “shall he serve” — even the son [if the father has died] (*Ibid.*).<sup>19</sup>

six years shall he serve - The Rabbis taught: The “six years” of a Hebrew man-servant are a full six years [and not six calendar years (in which instance part of a year is considered “the year”)], it being written: “six years shall he serve and on the seventh” — Sometimes his service goes into the seventh [calendar] year [in order to make up the full six years] (*Erchin* 18b).<sup>20,21</sup>

six years shall he serve - I might think that he goes out at the end of six years; it is, therefore, written: “and on the seventh shall he go out.” I might then think that he goes out at the end of seven years; it is, therefore, written: “six years shall he serve.” How is this to be reconciled? He serves all six and goes out at the beginning of the seventh [i.e., In the event of a leap year, he does not go out at the end of Adar I

(though he will then have served six years), but at the end of Adar II (which is the beginning of the seventh)] (*Yerushalmi Kiddushin* 1:2).<sup>22</sup>

**and on the seventh shall he go out** - A Hebrew man-servant acquires himself [i.e., his freedom] with years, as it is written: "six years shall he serve, and on the seventh shall he go out free" (*Kiddushin* 16a).<sup>23</sup>

**and on the seventh shall he go out** - the seventh year of his sale, and not the seventh year of the world [i.e., the calendar year]. Whence is this derived? From: "six years shall he serve and on the seventh" [See commentary (21)] (*Yerushalmi Kiddushin* 1:2).<sup>24</sup>

**free, without charge** - What is the intent of "without charge"? He requires no writ of emancipation and he need not pay [indemnification for any expenses incurred by his master because of his illness] (*Mechilta*).<sup>25</sup>

**free, without charge** - Even if he were sick, and his master incurred great expenses because of him, he owes him nothing, it being written: "shall he go out free, without charge" (*Rambam* 2:12, *Laws of Servants*).<sup>26</sup>

**21:3 If alone he came, then alone shall he go out.** If he was the husband of a woman, then his wife shall go out with him.

**If alone, etc.** - The Rabbis taught: "If alone [*begapo*] he came, then alone shall he go out" — With his body [*begufo*] he came; with his body shall he go out. What is the intent of this? Rava said: He does not go out by [the master's destruction of] limb prominences, as a Canaanite servant does (*Kiddushin* 20a).<sup>27</sup>

**If alone, etc.** - The Rabbis taught: "If alone he came, then alone shall he go out" — R. Eliezer b. Yaakov says: If he came in single, then he goes out single. What is the intent of this? R. Nachman b. Yitzchak said: If he has a wife and children, his master may give him a Canaanite maid-servant [with which to beget children (servants) for the master]. If he does not have a wife and children, then his master may not give him a Canaanite maid-servant (*Ibid.*).<sup>28</sup>

**If he was the husband of a woman** - Scripture speaks of a Jewish

woman. But perhaps it is a Canaanite woman! [This cannot be, for] "If his master gives him a woman" speaks of a Canaanite woman (*Mechilta*).<sup>29</sup>

then his wife shall go out with him - R. Shimon said: *He* may have been sold, but was his *wife* sold! [i.e., Why even mention: "then his wife shall go out with him"?] This teaches us that the master is obligated to feed his wife (*Kiddushin* 22a).<sup>30</sup>

then his wife shall go out with him - I might think that the master is obligated to feed his betrothed or one who awaits him for levirate marriage; it is, therefore, written: "his wife ... with him" — to exclude his betrothed, who is not "with him" (*Mechilta*).<sup>31</sup>

21:4 If his master gives him a woman, and she bears him sons or daughters, then the woman and her children shall belong to her master, and he shall go out alone.

If his master, etc. - Is this "if" optional or mandatory? "*If* alone he came, then alone shall he go out" indicates that it is optional and not mandatory (*Ibid.*).<sup>32</sup>

gives him - "*him*," and not one who sold himself; "*him*," [even] against his will (*Kiddushin* 15a).<sup>33,34</sup>

gives him - She shall be exclusively his, and not made an abandoned maid-servant (*Mechilta*).<sup>35</sup>

gives him a woman - Scripture speaks of a Canaanite woman. But perhaps it is a Jewish woman! [This cannot be, for] "the woman and her children shall belong to her master" indicates that it is a Canaanite woman that is being spoken of (*Ibid.*).<sup>36</sup>

the woman and her children - If one has a brother by a [Canaanite] maid-servant, he exempts his brother's wife from levirate marriage, and is considered his brother in no respect whatsoever. And if one has a son by a maid-servant, he [the son] does not exempt his father's wife from levirate marriage, and is considered his son in no respect whatsoever, it being written: "the man and *her* children shall belong to her master" (*Yevamoth* 22a).<sup>37</sup>

**the woman and her children** - It was taught: If one lives with his sister by a maid-servant, he is not liable. Why not? For it is written: "the woman and *her* children shall belong to her master" [and since she is not considered his father's child, she is not [halachically] his sister (*Ibid.* 23a).<sup>38</sup>

**the woman and her children** - [The daughter of a priest] is rendered unfit [to eat *terumah*] by living with a [Canaanite] servant, but not by having [a Canaanite grandchild as her son's] seed, it being written: "the woman and *her* children shall belong to her master" [so that her grandchild is not considered her son's seed at all] (*Ibid.* 70a).<sup>39</sup>

**the woman and her children** - The child of a Canaanite maid-servant and a Jewish father has the status of the mother, it being written: "the woman and *her* children shall belong to her master" (*Kiddushin* 68a).<sup>40</sup>

**the woman and her children** - R. Tarfon says: *Mamzerim* [bastards (halachically)] can cleanse themselves [i.e., can render their descendants non-*mamzerim*]. How so? If a *mamzer* weds a [Canaanite] maidservant, the child is [of the status of the mother, i.e.,] a servant. When he is freed, he becomes a freed-man [who may take a Jewish wife.] Whence is this derived? From: "the woman and *her* children shall belong to her master" (*Ibid.* 69a).<sup>41</sup>

**and her children** - to include a *tumtum* [one whose sex is in doubt] and a hermaphrodite (*Mechilta*).<sup>42</sup>

21:5 And if say, will say, the man-servant: I love my master, my wife, and my children; I shall not go out free,

And if say, will say - He must say it and repeat it [once in the beginning of the six years, and once at the end] (*Kiddushin* 22a).<sup>43</sup>

**will say the man-servant** - A Hebrew maid-servant is not subject to the institution of "boring," it being written: "And if say, will say, the man-servant" — the *man*-servant, and not the maid-servant (*Ibid.* 15a).<sup>44</sup>

**will say the man-servant** - If he said it at the end of the six years, but not in the beginning, he does not undergo "boring," it being written: "And if say, will say the servant" — He must say it while he is yet a servant (*Ibid.* 22a).<sup>45</sup>

**my wife, and my children** - From here it is derived that if he does not have a wife and children, he does not undergo "boring" (*Ibid.*).<sup>46</sup>

**I shall not go out free** - If he said it in the beginning of the six years, but not at the end, he does not undergo "boring," it being written: "And if say, will say, the servant ... I shall not go out free" — He must say it at the time of going out (*Ibid.*).<sup>47</sup>

21:6 Then his master shall bring him near to *elohim*, and he shall bring him near to the door or to the door-post, and his master shall bore his ear with an awl, and he shall serve him forever.

to *elohim* - to the judges, that he might consult those who sold him (*Mechilta*).<sup>48</sup>

to the door - This may signify either a door that is hinged or one that is unhinged; it is, therefore, written: "door-post" — just as a door-post stands [in its place] so, must the door be standing [in its place] (*Kiddushin* 22b).<sup>49,50</sup>

to the door, etc. - R. Shimon Berebbi was wont to expound: Why were the door and the door-posts singled out from all the other things in the house? The Holy One Blessed be He said: The door and the door-post, which were witnesses in Egypt when I "skipped over" [*pasachti*] the lintel and the two door-posts [on which the Jews had sprinkled the blood of the Paschal lamb], saying (*Leviticus* 25:55): "For to *Me* are the children of Israel servants" — and not servants to servants [i.e., the Egyptians]; and I took them out from bondage to freedom — and this one went and acquired a master for himself! Let him [i.e., his ear that heard and did not listen] be bored in their presence! (*Ibid.* 22b).<sup>51</sup>

and his master shall bore - The one who is bored is *acquired* by boring, as it is written: "and his master shall bore his ear with an awl, and he shall serve him forever" (*Ibid.* 21b).<sup>52</sup>

and his master shall bore - his *master*, and not his master's representative (*Yerushalmi Kiddushin* 2:1).<sup>53</sup>

his ear - One who sells himself is not subject to the institution of

“boring,” it being written: “and his master shall bore his ear with an awl” — “*his ear*” [i.e., the ear of one who was sold by *beth-din*], and not that of one who sold himself (*Kiddushin* 14b).<sup>54</sup>

**his ear** - It is written here: “ear,” and, in respect to a poor leper [*Leviticus* 14:25]: “ear.” Just as there, the right [ear is indicated], here, too, the right [ear is intended] (*Ibid.* 15b).<sup>55</sup>

**his ear** - A Hebrew maid-servant is not subject to the institution of “boring,” it being written: “and his master shall bore his ear” — “*his ear*,” and not her ear (*Ibid.*).<sup>56</sup>

**his ear** - R. Yochanan b. Zakkai was wont to expound: Why was the ear singled out from all the organs of the body? The Holy One Blessed be He said: The ear which heard Me say on Mount Sinai (*Leviticus* 25:55): “For to Me are the children of Israel servants” — and not servants to servants — and this one went and acquired a master for himself! Let it be bored! (*Ibid.* 22b).<sup>57</sup>

**his ear** - His disciples asked R. Yochanan b. Zakkai: Why was it seen fit to have this servant bored in his ear rather than in any other organ? He answered: The ear that heard on Mount Sinai (20:3); “There shall not be unto you any other gods” — and this one went and divested himself of the yoke of the Kingdom of Heaven and took upon himself that of flesh and blood! Let it be bored! (*Yerushalmi Kiddushin* 1:2).<sup>58</sup>

**with an awl** - It was taught: Rabbi says: “an awl” — just as an awl is of metal, so any tool that is of metal [may be used for boring] (*Kiddushin* 21b).<sup>59</sup>

**and he shall serve him forever** - The “bored” servant acquires himself [i.e., his freedom] with the Jubilee year and with the death of his master, it being written: “and he shall serve *him*” — and not his son, and not his daughter: “forever” — for the “eternity” of Jubilee [i.e., until the Jubilee year] (*Ibid.*).<sup>60</sup>

21:7 And if a man sells his daughter as a maid, she shall not go out as the servants go out.

**And if a man sells** - It was taught: R. Yossi b. Chanina says: It is better

that a man sell his daughter as a maid rather than borrow on interest. Why so? With his daughter [the passage of time] reduces [the time of her servitude] and she goes out. With interest [the passage of time] increases [the amount of interest to be paid] (*Ibid.* 20a).<sup>61</sup>

**And if a man sells** - A man may sell his daughter, but a woman may not sell her daughter, it being written: "And if a man sells his daughter" — a *man*, and not a woman (*Sotah* 23b).<sup>62</sup>

**And if a man sells** - A man may sell his daughter, but a woman may not sell herself (*Mechilta*).<sup>63</sup>

**his daughter** - a minor. But perhaps it is a *na'arah* [a girl between twelve and a day and twelve and a half]! This cannot be, *a fortiori*, viz.: If she is already sold, she goes out [with the signs of a *na'arah*], then if she [a *na'arah*] is not sold, how much more so may she not be sold! (*Erchin* 29b).<sup>64</sup>

**his daughter** - He may sell his daughter, but not his son (*Mechilta*).<sup>65</sup>

**his daughter as a maid** - R. Huna said in the name of Rav: Whence is it derived that a daughter's handiwork belongs to her father! From: "And if a man sells his daughter as a maid." Just as the handiwork of a maid belongs to her master, so that of the daughter belongs to her father (*Kethuvoth* 47a).<sup>66</sup>

**his daughter as a maid** - [What is the intent of: "as a maid"?] That he may sell her to those who are unfit to marry her [in which instance, the only service she renders is that of "a maid"] (*Kiddushin* 19b).<sup>67</sup>

**as the servants go out** - She does not go out as the servants go out, but she is acquired as the servants are acquired. How? With a writ (*Ibid.* 16a).<sup>68</sup>

21:8 If she be ill-favored in the eyes of her master, who did not marry her, then he shall redeem her. To a strange nation he shall not sell her *bevigdo* in her.

If she be ill-favored [ra'ah] in the eyes of her master - "*ra'ah*" connotes not finding favor in his eyes (*Mechilta*).<sup>69</sup>

**who did not marry her** - This teaches us that the master is to marry her, and *that*, with her acknowledgement (*Kiddushin* 19a).<sup>70</sup>

**who did not marry her** - From here [“*her*”] it is derived that he may not take two at the same time (*Mechilta*).<sup>71</sup>

**who did not marry her, then he shall redeem her** - This teaches us that the *mitzvah* of marrying her takes precedence to that of redeeming her (*Bechoroth* 13a).<sup>72</sup>

**then he shall redeem her** - This teaches us that she deducts her redemption [i.e., She subtracts the value of the service rendered from that of the total six years] and she goes out [even before the expiration of the six years]. And this teaches us, too, that a Hebrew maid is acquired by money [For, otherwise, what is there to deduct from?] (*Kiddushin* 14b).<sup>73</sup>

**then he shall redeem her** - This teaches us that she deducts her redemption and she goes out. And this teaches us that a Hebrew maid acquires herself [i.e., her freedom] by deduction money (*Ibid.* 16a).<sup>74</sup>

**To a strange nation** - This is an exhortation to *beth-din* [to see to it] that she not be sold to a gentile (*Mechilta*).<sup>75</sup>

**bevigdo in her** - Once he has spread his cloak [*begeg*] over her [i.e., once he has married her], he [the father] may not sell her again [if her master divorces her]; for a man is not permitted to sell his daughter to servitude after she has been married (*Ibid.* 18b).<sup>76</sup>

21:9 And if to his son he marry her, according to the ordinance of the daughters shall he do with her.

**And if to his son he marry her** - He may marry her to his *son*, but not to his brother (*Yerushalmi Kiddushin* 1:1).<sup>77</sup>

**according to the ordinance of the daughters** - Now what have we learned about “the ordinance of the daughters” [that is being applied here]? This [phrase] comes to teach [something about a “maid”], and, instead, we end up learning [something about married women in general, viz.:] Just as this one [a maid] (10): “her food, her clothing,

and her [conjugal] time, he shall not withhold," so, with every [married] Jewish daughter: "her food, her clothing, and her time, he shall not withhold" (*Mechilta*).<sup>78,79</sup>

**21:10** If another he take for himself, her food, her clothing, and her time, he shall not withhold.

**If another he take** - A Hebrew maid may be acquired by a writ, it being written: "If another he take for himself." Scripture likens her [a maid] to "another" [a married woman in general, viz.:] Just as another may be acquired [as a wife] by a writ, a Hebrew maid, too, may be acquired by a writ (*Kiddushin* 16a).<sup>80</sup>

**If another he take** - A woman may be acquired [as a wife] by money, it being written: "If another he take for himself." Just as a maid may be acquired by money, so a wife may be acquired by money (*Yerushalmi Kiddushin* 1:1).<sup>81</sup>

**If another he take for himself** - From here it is derived that one should marry off his son when he is yet a minor. And, elsewhere, it is written (*Deuteronomy* 4:9): "And you shall make them known to your sons and to the sons of your sons." When do you merit seeing the sons of your sons? When you marry off your sons when they are yet minors (*Mechilta*).<sup>82</sup>

**her food [she'erah], her clothing [kesuthah] and her time [onathah]** - It was taught: "*she'erah*" — this refers to food, as it is written (*Michah* 3:3): "And you who have eaten the *she'er* [flesh] of My people"; "*kesuthah*" — as the word implies [ "covering" ]; "*onathah*" — this is the *onah* [conjugal time] referred to in the Torah, as it is written (*Genesis* 31:50): "if you afflict [*ta'aneh*] my daughters" [by withholding their conjugal time] (*Kethuvot* 47b).<sup>83</sup>

**her food, [lit., "her flesh"] her clothing, and her time** - It was taught: R. Eliezer b. Yaakov says: "her flesh, her clothing" — In accordance with her "flesh," give her clothing. Do not give the clothing of a young girl to an old woman, or that of an old woman to a young girl. "her clothing and her time" — In accordance with her time [in this instance, the time of year], give her clothing. Do not give her new [heavy]

clothing in the summertime, or worn [light] clothing in the wintertime (*Ibid.* 48a).<sup>84</sup>

**he shall not withhold** - If one says to his wife: I vow not to cohabit with you [then, if he does cohabit with her], he transgresses (*Numbers* 30:3): “He shall not break his word.” This, on condition that he said: I forbid myself the *enjoyment* of cohabiting with you [for this enjoyment is his prerogative]; but if he did not stipulate this, he is obligated by the Torah to live with her [and his vow does not take effect], it being written: “her food, her clothing, and her time, he shall not withhold” (*Nedarim* 15b).<sup>85</sup>

**he shall not withhold** - R. Yonathan says: The verse speaks of a Jewish daughter [in general, and not specifically of a Hebrew maid]. But perhaps it does speak of a Hebrew maid! [This cannot be, for] “according to the ordinance of the daughters shall he do with her” (9) already refers to a Hebrew maid. How, then, are we to understand: “he shall not withhold”? As referring to a Jewish daughter [in general] (*Mechilta*).<sup>86</sup>

21:11 And if these three he does not do to her, then she shall go out free, without money.

**And if these three** - What are “these three”? Marry her yourself, marry her to your son, or redeem her. But perhaps it refers to [withholding of] her food, her clothing, and her time! This cannot be, for the verse is speaking of a Hebrew maid [and of what applies specifically to *her*] (*Ibid.*).<sup>87</sup>

**then she shall go out free, without money** - A girl’s betrothal money belongs to her father. Whence is this derived? R. Yehudah said: From: then she shall go out free, without money” — Money does not revert to *this* master, but it *does* revert to a different master. And who is that? Her father [in the instance of betrothal] (*Ketuvoth* 46b).<sup>88</sup>

**then she shall go out free, without money** - “then she shall go out free” — these are the days of *bagruth* [after the period of *na’aruth* (see commentary 64)]; “without money” — these are the days of *na’aruth* (*Kiddushin* 4a).<sup>89</sup>

then she shall go out free, without money - From here we derive that a Hebrew maid is acquired by money [for, otherwise, "without money" would have no meaning in this context] (*Yerushalmi Kiddushin* 1:2).<sup>90</sup>

then she shall go out free, without money - I might think: "free" — without requiring a divorce [if he married her]; it is, therefore, written: "free, without money" — free of money, but not free of a divorce (*Mechilta*).<sup>91</sup>

21:12 If one strikes a man and he dies, then he shall be put to death.

If one strikes a man - This tells me only of one who struck a man. Whence do we derive [the same *halachah* for] one who struck [a woman or] a minor? From (*Leviticus* 24:17): "And a man, if he strike all the soul of a man" — even a minor being implied. If "soul" [alone, were stated, however,] I might think [that he is liable] even for [the death of] a fetus that is certain to die of itself, or for [the death of] an eight-month-birth [which is also certain to die]; it is, therefore, written: "If one strikes a *man*" [connoting one who would, otherwise, live] (*Sanhedrin* 84b).<sup>92,93</sup>

If one strikes a man - I would know that only a man is liable. Whence do I derive [the same *halachah* for] a woman? From: "If one strikes a man" — anyone. I might then think that even a minor is liable; it is, therefore, written (*Leviticus* 24:17): "And a *man*, if he strike ... " (*Mechilta*).<sup>94,95</sup>

If one strikes a man and he dies - This teaches us that he is not liable unless the other expires [as a result of the blow], to exclude [such liability for] smacking him only (*Ibid.*).<sup>96</sup>

21:13 And if he did not hunt him, but the L-rd put him into his hand, I shall make for you a place to which he shall flee.

And if he did not hunt him - to exclude an instance in which he intended to fling [an object] two ells, and, instead, flung it four [and

killed someone therewith, in which instance he is not regarded as having killed inadvertently] (*Makkoth* 7b).<sup>97</sup>

**And if he did not hunt him** - R. Shimon b. Lakish expounded: Of what does Scripture speak? Of two men who killed: one inadvertently; and one, deliberately. There are no witnesses against one, and none against the other. The Holy One Blessed be He brings them together in one spot. The one who killed deliberately sits under a ladder, and the one who killed inadvertently climbs it and falls upon him and kills him. The one who killed deliberately is killed, and the one who killed inadvertently is exiled [to the cities of refuge] (*Ibid.* 10b).<sup>98</sup>

**I shall make for you a place, etc.** - The Rabbis taught: “I shall make for you a place” — in *your* [Moses’] lifetime; “a place” — of *your* [the Levites’ (Moses was a Levite)] places; “to which he shall flee” — This teaches us that the Jews went into exile [for inadvertent murder] in the desert. Whither [did they go]? To the camp of the Levites (*Ibid.* 12b).<sup>99-101</sup>

**to which he shall flee** - And where is that? “Fleeing” is mentioned [here] in respect to that particular time, and “fleeing” is mentioned in respect to [the cities of refuge for] all generations. Just as with the “fleeing” of all the generations it is the Levite cities that afford refuge, so with the “fleeing” of that time, it was the Levite cities [i.e., the Levite camp] that afforded refuge (*Mechilta*).<sup>102</sup>

21:14 And if a man will be bent against his neighbor to kill him with subtlety, from My [very] altar shall you take him to die.

**And if a man will be bent** - The school of Chezkihah taught: Whence is [the requirement of advance] warning derived from the Torah? From: “And if a man will be bent against his neighbor to kill him with subtlety” — [the connotation being] that he has been warned and is nonetheless intent on killing him (*Sanhedrin* 41a).<sup>103</sup>

**And if a man will be bent [yazid]** - It was taught in the school of Chezkihah: [A minor cannot beget children, as it is written:] “And if a

*man yazid*" [lit., "cooks"] — A *man* "cooks" and produces sperm, but a minor does not (*Ibid.* 69a).<sup>104</sup>

**And if a man will be bent** - It was taught: When is the period of a *sorer umoreh* [a "rebellious son"]? From the time he sprouts two hairs until the [genital] "beard" has formed; as it is written: "And if a *man yazid*." From when is he called "a man"? From the time that he "cooks" (*Yerushalmi Sanhedrin* 8:1).<sup>105</sup>

**to kill him with subtlety** - It was taught: R. Yehudah b. R. Ilai says: [Whence in the Torah is the requirement of advance warning derived?] From: "And if a man will be bent against his neighbor to kill him with subtlety" — He must be "made subtle" [i.e., informed] by which death he is to die [if he kills] (*Ibid.* 5:1).<sup>106</sup>

**to kill him with subtlety** - "with subtlety" — to exclude a deaf-mute and an imbecile. And to exclude a doctor [whose patient dies after his treatment], one who is empowered by *beth-din* to beat someone, and one who chastises his son or his student (*Ibid.*).<sup>107</sup>

**from My [very] altar** - R. Akiva expounded: "*from* My altar" [i.e., from *near* My altar], and not "*from upon* My altar" [i.e., A priest who is *upon* the altar (i.e., in the midst of sacrificing) is not to be taken thence to be killed for a murder that he has committed]. And this applies only to an instance where he is to be *killed*; but where one is to be *saved* [i.e., if this priest can testify to save someone's life], then even "*from upon* My altar." From here it is derived [by *a fortiori* reasoning] that the saving of life overrides the Sabbath (*Yoma* 5:1).<sup>108-110</sup>

**from My [very] altar** - From here it is derived that murder overrides the service [i.e., that a priest who murdered is not permitted to begin performing the sacrificial service.] [And this applies not only to an individual offering, but even to a communal offering], it being written: "*from My [very] altar*" — the "altar" that is specifically Mine. And which is that? The *tamid* [the daily communal offering]. And Scripture states: "*from My [very] altar shall you take him to die*" (*Sanhedrin* 36a).<sup>111,112</sup>

**from My [very] altar** - This teaches us that Sanhedrin [which metes out judgment] presides near the altar. And though there is no proof for this,

it is intimated in (I Kings 2:28): “And Yoav fled to the tent of the L-rd [seeking the intercession of Sanhedrin that David not kill him], and he held on to the horns of the altar” (*Mechilta*).<sup>113</sup>

from My [very] altar - It was taught: Whence is it derived that death penalties are carried out only when there is a Temple. From: “from My [very] altar shall you take him to die” — If there is an altar, the death penalty is administered; if not, it is not administered (Ramban, *Masei*, citing *Mechilta*).<sup>114</sup>

shall you take him to die - to *die*, but not to be judged [in a monetary litigation], and not to receive stripes, and not to be exiled. [In all of these instances, he is not prevented even from *beginning* to sacrifice (See commentary 110)] (*Mechilta*).<sup>115</sup>

21:15 And one who strikes his father and his mother, he shall be put to death.

And one who strikes his father - Whence is derived the sages' dictum: “Go according to the majority”? R. Mari said: From: “And one who strikes his father and his mother, he shall be put to death.” But perhaps it is not his father! It must be, then, that we say: “Go according to the majority,” and the majority of cohabitations is with the husband (*Chullin* 11b).<sup>116</sup>

And one who strikes his father - Whence is it derived that death penalties are administered on the basis of *de facto* relationships? From: “And one who strikes his father ... he shall be put to death.” Now is it certain that he is his father? Is it not only assumed that he is his father on the basis of a *de facto* relationship [i.e., the father (?) and mother living together as man and wife]? From here it is derived that death penalties are administered on the basis of *de facto* relationships (*Yerushalmi Kiddushin* 10:10).<sup>117</sup>

And one who strikes his father and his mother - Perhaps he is not liable unless he *kills* him! [This cannot be, for] “If one strikes a man and he dies, then he shall be put to death” (12), and (*Numbers* 35:21): “Or if in hatred he strike him with his hand and he die,” indicate that wherever “striking” alone is written, death is not implied (*Sanhedrin* 84b).<sup>118</sup>

**And one who strikes his father and his mother** - One who strikes his father and his mother is not liable [for the death penalty] unless he makes a wound. For it is written (*Leviticus* 24:21): "he who strikes a man," and "he who strikes a beast." Just as he who strikes a beast is not liable [for damages] unless he makes a wound, it being written in that regard (*Ibid.* 18): "soul" [implying a wound to the "soul," or to the "life"], so, one who strikes a man is not liable unless he makes a wound. And just as one who causes a wound in a beast for healing purposes is exempt [from liability], so one who causes a wound in a man for healing purposes is exempt (*Sanhedrin* 84b).<sup>119,120</sup>

**And one who strikes his father and his mother** - One who strikes his father and his mother is liable only if he does so when they are alive (*Ibid.* 85b).<sup>121</sup>

**And one who strikes his father and his mother** - This tells me only of [one who strikes both] his father *and* his mother. Whence do I derive [liability for one who strikes] his father and not his mother, or [one who strikes] his mother and not his father? [This is derived as follows:] Since one who *strikes* his parents is liable, and one who *curses* them is liable, then just as one who curses is liable for each parent individually, so, one who strikes is liable for each parent individually (*Mechilta*).<sup>122</sup>

**he shall be put to death** - The death penalty for one who strikes his father or mother is strangulation, it being written: "he shall be put to death"; and wherever "death" is written in Scripture, unqualified [as to which type], strangulation is intended (*Sanhedrin* 84b).<sup>123</sup>

21:16 And one who steals a man and sells him, and he is found in his hand, he shall be put to death.

**And one who steals a man** - The Rabbis taught (*Deuteronomy* 24:7): "If there be found a man stealing a soul ...": This tells me only of a *man* who steals. Whence is derived [the same *halachah*] for a *woman* who steals? From: "And *one* who steals ..." — anyone (*Ibid.* 85b).<sup>124</sup>

**And one who steals a man** - From (*Deuteronomy* 24:7): "If there be found a man stealing a *soul*," we might assume that even an eight-month-birth [which cannot remain alive] were included; it is, therefore,

written: "And one who steals a *man*" — He is not liable unless he steals one who is invested with [enduring] life (*Mechilta*).<sup>125</sup>

and sells him - all of him, and not part of him (*Ibid.*).<sup>126</sup>

and he is found in his hand - One who steals his son is not liable [for kidnapping], it being written: "and he is found in his hand" — to exclude one who is *already* "found" [there] (*Sanhedrin* 86a).<sup>127</sup>

and he is found in his hand - There is no "finding" except through witnesses; "in his hand" — "his hand" signifies his possession, as it is written (*Numbers* 21:26): "And he took all of his land from his hand" (*Mechilta*).<sup>128, 129</sup>

21:17 And one who curses his father and his mother, he shall be put to death.

And one who curses his father and his mother - The Rabbis taught: It is written: "And one who curses his father and his mother, he shall be put to death," and (*Leviticus* 24:15): "A man, if he curses his G-d, he shall bear his sin." Scripture hereby equates blaspheming father and mother to blaspheming the Holy One Himself (*Kiddushin* 30b).<sup>130</sup>

And one who curses his father and his mother - This tells me only of [one who curses both] his father *and* his mother. Whence do I derive [liability for one who curses] his father and not his mother, or his mother and not his father? From (*Leviticus* 20:9): "His father and his mother he has cursed; his blood is in him" [The first, "curses," being juxtaposed with "father"; the second, "cursed," with "mother"] (*Sanhedrin* 66a).<sup>131</sup>

he shall be put to death - By stoning. But perhaps [he is to be put to death] by one of the other Scriptural death penalties? [This is not so, for] it is written here [in respect to cursing] (*Leviticus* 20:9): "his blood is in him," and, in respect to *ov* and *yidoni* [practitioners of necromancy] (*Ibid.* 27): "their blood is in them." Just as there, stoning [is indicated], here, too, stoning [is understood to be the penalty] (*Mechilta*).<sup>132, 133</sup>

**21:18** And if men quarrel, and one man strike his neighbor with stone or fist, and he not die, but become bedridden,

**with stone or fist** - It was taught: R. Nathan says: "stone" is likened to "fist," and "fist," to "stone." Just as "stone" implies a stone that can kill, so "fist" implies a blow that can kill; and just as "fist" is a known quantity, so "stone" must be a known quantity. If it were lost, then, he is not liable (*Ibid.*).<sup>134, 135</sup>

**or fist** - It was taught: R. Akiva says: Just as "fist" is characterized by availability to inspection by witness, so all [agents of injury] must be thus characterized — to exclude one that left the hand of the striker [i.e., a stone that was lost] (*Bava Kamma* 90b).<sup>136</sup>

**and he not die** - But if he strike him a lethal blow, he is exempt from disability and medical expenses [while imprisoned and awaiting execution for the other's expected death] (*Mechilta*).<sup>137</sup>

**21:19** If he arise and walk outside on his own power, then the striker shall be absolved; only his disability [payment] shall he give, and heal shall he heal.

**and he walk outside, etc.** - "outside," and not in the house; "on his own power" — with strength, and not falteringly (*Ibid.*).<sup>138, 139</sup>

**then the striker shall be absolved** - Now would it ever occur to you that this one [who received the blows] walk around in the marketplace and the other [who struck him] be killed! Why need it be stated, then, "the striker shall be absolved"? To teach us [by implication] that he is imprisoned [awaiting resolution of the victim's state]. If he dies, he is killed; if he does not die, then: "his disability shall he give, and heal shall he heal" (*Kethuvoth* 33b).<sup>140</sup>

**only his disability shall he give, and heal shall he heal** - If he disobeyed "doctor's orders" and ate honey and all kinds of sweets (such things aggravating the injury) and his wound became ulcerated, I might think that he [the striker] is [nonetheless] obliged to heal him; it is, therefore, written: "only" [connoting limitation of liability] (*Bava Kamma* 85a).<sup>141, 142</sup>

**only his disability shall he give** - The Rabbis taught: Whence is it derived that if eruptions arose as a result of the wound and concealed it, he must pay for the healing and disability [though there be a succession of healings and eruptions]? From: "only his disability shall he give and heal shall he heal" [connoting a succession of healings] (*Ibid.*).<sup>143,144</sup>

**and heal shall he heal** - It was taught in the school of R. Yishmael: "and heal shall he heal" — From here is derived the doctor's license to heal (*Ibid.*).<sup>145</sup>

**and heal shall he heal** - [The intent of the redundancy is] to make him liable for medical expenses even where he pays for the injury [*nezek*] itself (*Ibid.* b).<sup>146</sup>

**21:20 And if a man strike his man-servant or his maid-servant with a rod, and he die under his hand, vengeance shall be taken.**

**his man-servant** - Scripture here speaks of a Canaanite man-servant. But perhaps a Hebrew man-servant is intended! [This cannot be, for] it is written (21): "for he is his money." Just as his money is his "forever," the servant [referred to] is one which is his "forever," to exclude a Hebrew man-servant, which is not his "forever" [but only for six years] (*Mechilta*).<sup>147</sup>

**with a rod** - It appears to me that if one wounds his servant with a knife or sword or with stone or fist, and the like, and he died (as it was assumed he would), he does not come under the provision of (21): "one day or two days"; but even if he died after a year, the master is killed. For this reason it is written: "with a rod," for he is permitted to strike him only with a rod, or thong, or the like, and not to deal him a death blow (Rambam, *Hilchoth Rotzeach* 2:14).<sup>148</sup>

**vengeance shall be taken** - I would not know what this "vengeance" was if not for (*Leviticus* 26:25): "And I shall bring upon you an avenging sword," which indicates that "vengeance" is the sword. From here it is derived that murder is punishable by the sword [i.e., decapitation] (*Sanhedrin* 52b).<sup>149</sup>

**21:21** But if one day or two days he survive, vengeance shall not be taken, for he is his money.

**one day or two days** - How can these two verses be reconciled? [i.e., If one day is sufficient, why mention "two days"?] [The intent is] one day which is like two days; two days which are like one day. And what is that? A twenty-four hour period (*Mechilta*).<sup>150</sup>

**for he is his money** - It was taught: R. Eliezer says: If one sold his man-servant to another, stipulating that he serve him thirty days, neither [the seller nor the buyer] comes under the provision of: "one day or two days" the seller, because the servant is not his [i.e., he is not in his possession during the thirty-day period]; the buyer, because he is not his money [i.e., he does not own him], and Scripture states: "for he is *his money*" — his *money* which is in *his* possession (*Bava Kamma* 90a).<sup>151,152</sup>

**for he is his money** - Just as his money is completely in his possession, so the man-servant [referred to here] must be completely in his possession — to exclude a man-servant belonging to two partners, neither of which owns him completely (*Ibid.*).<sup>153</sup>

**21:22** And if men fight and push a pregnant woman, and her children miscarry, and there be no death [i.e., and the woman not be killed], then punishment shall be exacted; as the husband of the woman impose upon him, shall he give by *plilim*.

**And if men fight** - It was taught: R. Elazar said: Scripture speaks of a fight with intent to kill, it being written (23): "And if there be a death, then you shall give a life for a life" [which would not be the ruling if there were no intent to kill] (*Kethuvoth* 33a).<sup>154</sup>

**And if men fight** - Why state both: "And if men fight ..." and (18): "And if men quarrel ..."? To learn from intent to non-intent, and from non-intent to intent. [i.e., Since "And if men quarrel" is clearly an instance of *intent* (on the part of one man to strike the other), then, "And if men fight," if it is not to be redundant, must be an instance of *non-intent* (on the part of the man to kill the woman), in spite of which,

if he kills her, he is liable (because of his *general* intent to kill). And the *non-intent* verse teaches us about the verse of *intent*, that if there be in that instance an *element* of non-intent (i.e., If the attacker did not intend to cut off the other's hand, but it had to be amputated because of the blow, he is liable for indemnification)] (*Yerushalmi Sanhedrin* 9:3).<sup>155</sup>

**And if men fight** - “*men*,” and not oxen (*Bava Kamma* 42a).<sup>156</sup>

**a pregnant woman** - It was taught: From: “and her children miscarry,” do I not know that she is pregnant? Why need it be stated? To teach that the [payment for] appreciation of pregnancy [i.e., for the relatively greater value of a pregnant woman] goes to the husband (*Ibid.* 49a).<sup>157</sup>

**a pregnant woman** - R. Shimon b. Gamliel says: From: “and her children miscarry,” do I not know that she is pregnant? Why need it be stated? For the teaching of R. Eliezer b. Yaakov, viz.: He is not liable unless he strikes her in the region of pregnancy [and not on the hand or leg] (*Ibid.*).<sup>158</sup>

**and her children miscarry** - The minimum of “children” is two. And whence do we derive [liability for] even one? From: “pregnant” — in any event (*Mechilta*).<sup>159</sup>

**and there be no death [ason]** - Abbaye said: It is written: “*ason*” by the hands of man [here], and it is written: “*ason*” by the hands of Heaven, viz.: (*Genesis* 42:38): “and he will be met with *ason*.” Just as one who receives death by the hands of man [i.e., *beth-din*] is exempt from monetary payment, so, one who receives death by the hands of Heaven [e.g., one who tears his neighbor's garment on Yom Kippur] is exempt from payment (*Kethuvoth* 30a).<sup>160</sup>

**and there be no death** - All who incur the death penalty are not liable for monetary payment, as it is written: “and there be no death, then [monetary] punishment shall be exacted” [the implication being that if there *be* death (i.e., if he kills the woman and incurs the death penalty), then monetary punishment is not exacted] (*Ibid.* 36b).<sup>161</sup>

**then punishment shall be exacted** - You say monetary punishment; but may it not refer to the death penalty! [This is not so, for] it is written here: “punishment,” and, elsewhere (*Deuteronomy* 22:19): “And they

shall *punish* him [i.e., fine him] one hundred pieces of silver." Just as there, money [is indicated]; here, too, money [is understood] (*Mechilta*).<sup>162</sup>

as he impose - I might think [that he must give] as much as is demanded; it is, therefore, written: "by *plilim*" — He pays only by assessment of the judges (*Ibid.*).<sup>163</sup>

the husband of the woman - R. Pappa said: The Torah awarded payment for the fetuses to the husband, even if he lived with her out of wedlock, it being written: "as the husband [lit., "cohabitor"] of the woman shall impose upon him" (*Bava Kamma* 43a).<sup>164</sup>

the husband of the woman - R. Ukva asked: If one lived with his mother or with his sister, is he also regarded as "the husband" in respect to [the awards of] the pregnancy? [They answered:] It is written: "the husband," one who can [halachically] be called "husband"— to exclude the afore-mentioned, who cannot [halachically] be called "husband" (*Yerushalmi Bava Kamma* 5:5).<sup>165</sup>

and he shall give by *plilim* - From here we see that "*plilim*" are judges (*Megillah* 15b).<sup>166</sup>

and he shall give by *plilim* - "*Plilim*" are judges, as it is written (*Deuteronomy* 32:31): "our enemies [themselves] being *plilim*," and (*I Samuel* 2:25): "If one man sins against another, then G-d judges him [*filelo*]" (*Mechilta*).<sup>167</sup>

21:23 And if there be *ason*, then you shall give a life for a life.

And if there be *ason* - "*ason*" is death. And though there is no proof for this, it is intimated in (*Genesis* 42:38): "and he will be met with *ason*" (*Ibid.*).<sup>168</sup>

then you shall give a life - It was taught: "a life" is what he pays; and he does not pay money for a life (*Ibid.*).<sup>169</sup>

21:24 An eye for an eye; a tooth for a tooth; a hand for a hand;  
a foot for a foot.

**An eye for an eye** - It was taught in the school of Chezkhiah: "An eye for an eye" — and not an eye and a life for an eye [i.e., "An eye" must refer to monetary payment; for if "eye" is taken literally, the extraction of the eye might result in the taking of the life, and this is proscribed by Scripture] (*Kethuvoth* 38a).<sup>170</sup>

**And eye for [tachath] an eye** - "An eye for an eye" — monetary payment. But perhaps "an eye," literally, is intended! R. Ashi said [This is not so, for] we derive [the *halachah*] from (*Deuteronomy* 22:29): "*tachath* he has afflicted her." Just as there, money [is indicated]; here, too, money [is understood] (*Bava Kamma* 84a).<sup>171</sup>

**An eye for an eye** - It was taught: R. Eliezer says: "An eye for an eye" — his eye itself. — "his eye itself?" [i.e., How can he say this? It is obvious (see above) that *monetary* payment is intended.] R. Ashi said: His intent is that it is not the monetary value of the eye of the victim that is estimated, but that of the blinder himself (*Ibid.*).<sup>172, 173</sup>

21:25 A burn for a burn, a wound for a wound, a welt for a welt.

**a wound for a wound** - A man is universally liable [for damages]: both unwittingly or wittingly; both awake or asleep. Whence is this derived? Chezkhiah said: From: "a wound for a wound," connoting liability for unwitting as well as for deliberate [wounding]; for accidental as well as for volitional [wounding] (*Ibid.* 26b).<sup>174, 175</sup>

**a wound for a wound** - It was taught: [Where there is injury, payment must be made for injury, pain, healing, disability, and shame], as it is written: "a wound for a wound" — Pay for the pain [as well as for the others mentioned above] even where payment is made for the injury [or the "wound"] itself (*Ibid.* 85a).<sup>176</sup>

**a welt for a welt** - It was taught: Rebbi says: What is the intent of "welt"? [i.e., Why mention it at all?] The reason is that "burn," being mentioned first, we might think that only a burn accompanied by a welt were intended; it is, therefore, written: "welt" [here] to indicate that "burn" need not be one accompanied by a welt (*Ibid.* b).<sup>177</sup>

21:26 And if a man strike the eye of his man-servant or the eye

of his maid-servant, and he destroy it; free shall he send him in lieu of his eye.

**And if a man strike** - I might think [that this applied] even if he performed no act against it [i.e., even if he did not strike the eye itself]; it is, therefore, written: "And if a man strike the *eye*" — the eye itself must be the object of the blow (*Mechilta*).<sup>178</sup>

**and he destroy it** - It was taught: If one inserted his hand into his maid-servant's womb [to assist in delivery], and, in doing so, blinded the fetus, he is not liable, it being written: "and he destroy it," connoting intention to destroy it (*Kiddushin* 25b).<sup>179, 180</sup>

**and he destroy it** - I might think [that the *halachah* applies] even if he causes a blinding in the eye [which impairs, but does not eliminate, vision]; it is, therefore, written: "and he *destroy* it" — only a wound of destruction is being referred to (*Mechilta*).<sup>181</sup>

**free shall he send him** - It was taught: He goes free [if his master knocks out] his tooth or eye or limb-tips which do not grow back. Whence is this derived? ["free shall he send him" connotes extension of "sending," to include] what is similar to tooth and eye, viz.: Just as [knocking out] tooth or eye, [the causation of] external blemishes [involving organs] that do not grow back, set a servant free; so, [the causation of] all external blemishes [involving organs] that do not grow back set a servant free (*Kiddushin* 24a,b).<sup>182-184</sup>

**free shall he send him** - And he requires a writ of emancipation. These are the words of R. Shimon. Why so? It is derived: "sending" [here] - "sending" in respect to [divorcing] a woman. Just as a woman requires a writ [of divorce], so a servant requires a writ [of emancipation] (*Ibid.* b).<sup>185</sup>

**in lieu of his eye** - [If he blinded his eye and knocked out his tooth, he goes free (in lieu of his eye), and he gives him the value of his tooth.] But perhaps he goes free in lieu of his eye *and* his tooth! [This is not so, for] it is written: "in lieu of his eye" — "in lieu of his *eye*," and not in lieu of his eye and his tooth; "in lieu of his tooth" (27) — and not in lieu of his tooth and his eye (*Bava Kamma* 75b).<sup>186</sup>

21:27 And if the tooth of his man-servant or the tooth of his maid-servant he strike out, free shall he send him in lieu of his tooth.

And if the tooth of his man-servant - Both "eye" and "tooth" must be written. For if "tooth" alone were written, I would think that even [the knocking out of] a milk-tooth [which grows back again, would set him free; it is, therefore, written: "eye" (i.e., only that, which, like the eye, does not grow back)]. And if "eye" alone were written, I would think that only [the knocking out of] the eye, which was created with him [sets him free; it is, therefore, written: "tooth," which was not created with him, to negate that notion]. For these reasons, both "tooth" and "eye" must be written (*Kiddushin* 24b).<sup>187</sup>

21:28 And if an ox gore a man or a woman and he die, the ox shall be stoned, and its flesh shall not be eaten, and the owner of the ox is absolved.

And if an ox gore [yigach] - The Rabbis taught: "*Negichah*" [same root as "*yigach*"] is with the horn only, as it is written (I *Kings* 22:11): "And Tzidkiah ... made him horns of iron, and he said ... With these *tenagach* Aram," and (*Deuteronomy* 33:17); "The firstling of his herd, grandeur is his, and his horns are like the horns of a wild ox. With them, peoples *yenagach*" (*Bava Kamma* 2b).<sup>188</sup>

And if an ox gore - Why is it that in reference to [the killing of] a man it is written: "And if an ox *gore*," whereas in reference to [the killing of] a beast, it is written (35): "And if an ox *butt*"? [In reference to] a man, who has *mazal* ["good fortune" (to escape serious injury if merely "butted")], it is written: "And if an ox *gore*." [In reference to] a beast, which does not have *mazal*, it is written: "And if an ox *butt*" (*Ibid.*).<sup>189</sup>

And if an ox gore - A fighting ox that gores a man to death is not killed. Why so? For it is written: "And if an ox gore" [of itself], and not if it is made to gore [by others] (*Ibid.* 39a).<sup>190</sup>

And if an ox gore - Whence is it derived that all manner of killing is equivalent to goring [in terms of halachic consequences]. It is induced [as follows:] A *mued* [a "confirmed" killer-ox] is stoned, and a *tam*

[one that is not “confirmed” in killing] is stoned. Just as with a *mued*, all manner of killing is equivalent to goring [(this is derived elsewhere)], so with a *tam*, all manner of killing is equivalent to goring (*Mechilta*).<sup>191,192</sup>

**And if an ox gore** - The Rabbis taught: “ox” is written seven times [in this section] — to include [in addition to the primary “ox”]: the ox of a woman, the ox of orphans, the ox of a caretaker, the ox of the Temple, the ox of the desert, the ox of a convert who died and has no one to inherit him — all of these being put to death [if they kill a man] (*Bava Kamma* 44b).<sup>193,194</sup>

**And if an ox gore** - Whence is it derived that all beasts are like the ox [i.e., that they must be put to death if they kill a man]? It is written here: “ox,” and, in the second Decalogue: “ox.” Just as there, all beasts are [explicitly] equated with the ox; here, too, all beasts are [understood to be] equated with the ox (*Mechilta*).<sup>195</sup>

**a man** - Whence is it derived that minors are like adults [in this respect]? It is induced as follows: Since both *tam* and *mued* are stoned, just as with *mued* Scripture [explicitly] equates minors with adults; so with *tam*, minors are equated with adults (*Ibid.*).<sup>196</sup>

**and its flesh shall not be eaten** - The Rabbis taught: From: “the ox shall be stoned,” do I not know that it is *neveilah* [carcass], which may not be eaten? Why need it be stated: “and its flesh shall not be eaten”? Scripture hereby teaches that if it is slaughtered after its judgment [i.e., stoning] was pronounced, it may not be eaten (*Bava Kamma* 41a).<sup>197</sup>

**and its flesh may not be eaten** - This tells me only that eating [is forbidden]. Whence do I derive that enjoyment [i.e., derivation of benefit (is also forbidden)]? R. Avahu said: It is written: “may not be eaten”; and wherever “may not be eaten” is written, both the prohibition against eating and that against derivation of benefit are subsumed (*Ibid.*).<sup>198</sup>

**and its flesh may not be eaten** - An ox that is stoned is forbidden [vis à vis the derivation of benefit] and forbids [an admixture of which it is a part] by even a modicum [of its flesh], as it was taught: “the ox shall be stoned, and its flesh shall not be eaten.” Now from: “the ox shall be

stoned,” do I not know that it shall not be eaten? Why, then, must it be stated: “and it shall not be eaten”? To teach that even derivation of benefit is prohibited (*Yerushalmi Avodah Zarah* 5:12).<sup>199</sup>

its flesh [eth besaro] - This tells me only of the prohibition of benefit from its *flesh*. Whence do I derive the same [*halachah*] for its *hide*? From: “*eth* [lit., “with”] *besaro*” — what is appended to its flesh, i.e., its hide (*Bava Kamma* 41b).<sup>200</sup>

its flesh [eth besaro] - “*eth*” — to include [in the prohibition] its blood, its fats, and its hide (*Mechilta*).<sup>201</sup>

its flesh - R. Achdebai b. Ammi said in the name of Rav: If one betrothes a woman with the “separation” [i.e., the dung] of a stoned ox, she is [halachically] betrothed. Why so? For it is written: “and its flesh shall not be eaten” — its *flesh* is prohibited; its “separation” is permitted (*Temurah* 30b).<sup>202</sup>

and the owner of the ox is absolved - The Rabbis taught: “and the owner of the ox is absolved” — R. Eliezer says: He is absolved of half-*kofer* [see 21:30]. R. Yossi Haglili says: He is absolved of [liability for payment of] the value of the fetuses [in the event of the ox’s striking a pregnant woman and causing her to miscarry]. R. Akiva says: He is absolved of [liability for payment of] the value of a servant [if the ox kills a servant] (*Bava kamma* 41b; 42 a,b).<sup>203</sup>

and the owner of the ox is absolved - R. Yehudah says: “and the owner of the ox is absolved” — absolved of the judgment of Heaven (*Mechilta*).<sup>204</sup>

21:29 And if it were a goring ox from yesterday and the day before, and the owner were warned, and he did not watch it, and it killed a man or a woman, the ox shall be stoned, and also its owner shall die.

And if it were a goring ox - Scripture makes five distinctions between a *tam* [an ox that gored fewer than three times] and a *mued* [one that gored three times or more]: A *mued* requires witnesses [for “warning”]; a *tam* does not. A *mued* pays *kofer*; a *tam* does not. A *mued* pays

complete damages; a *tam*, half-damages. A *mued* pays from prime property; a *tam*, from its body (*Ibid.*).<sup>205,206</sup>

**from yesterday and the day before** - It was taught: Which is a *mued*? One whose owner was warned [for gorings] on three days, as it is written: "And if it were a goring ox from yesterday [*mitmol*] and the day before" — [If merely the sense of "in the past" were intended, it could have been written] "*tmol*." [The fact that] "*mitmol*" is written indicates that] *one day* [is being emphasized]; "and the day before" — two days; "and he did not watch it" — three days. *Now* [i.e., the fourth time,] he is liable [for the payment of *mued*] (*Bava Kamma* 23b).<sup>207,208</sup>

**and the owner were warned** - It was taught: If it gored, and then [before being brought to judgment] was consecrated [by the owner]; if it gored and then was made *hefker* [ownerless], he is not liable, as it is written: "and the owner were warned ... and it killed a man ... the ox shall be stoned, and also its owner shall die" — the killing, the coming to judgment, and the pronouncement of judgment must all be [under] one [owner] (*Ibid.* 13b).<sup>209,210</sup>

**and the owner were warned [vehuad bivalav]** - [R. Yochanan said: Witnesses are heard only in the presence of the defendant. Whence is this derived?] From: "*vehuad bivalav*" [i.e., it becomes a *mued* only (if testimony is given) in the presence of its owner]. Scripture says: Let the ox's owner come and stand over his ox [to hear the testimony against it] (*Ibid.* 112b).<sup>211</sup>

**and the owner were warned** - This teaches us that he is not liable unless he is warned (*Mechilta*).<sup>212</sup>

**and he did not watch it** - If its owner tied it with its reins and barred the door properly, in spite of which it got out and caused damage — R. Yehudah says: A *tam* is liable [i.e., the owner is liable for "*tam*" payment], and a *mued* is not liable, it being written: "and he did not watch it"; but here, he *did* watch it (*Ibid.* 45b).<sup>213</sup>

**and he did not watch it** - To include [liability for] an unpaid keeper (*Mechilta*).<sup>214</sup>

**a man or a woman** - It was taught in the school of Chezkiah: "and it killed a man or a woman" — From here it is derived that Scripture

equates a woman with a man in respect to all [penalties for] killing [the one or the other] mentioned in the Torah (*Kiddushin* 35a).<sup>215</sup>

**a man or a woman** - R. Akiva said: What does this come to teach us? If to impose liability for [the killing of] a woman as for a man, this is already stated, viz. (28): "And if an ox gore a man or a woman ... " Its purpose, rather, is to liken a woman to a man [in respect to damage payments]. Just as the damage payments due a man go to his heirs, so, those due a woman go to her heirs (*Bava Kamma* 42b).<sup>216</sup>

**the ox shall be stoned** - If it meant to kill one, and killed another, it is [nonetheless] killed [it being written: "the ox shall be stoned, and also its owner shall die." As the death of the owner, so is the death of the ox. Just as with the owner, if he meant to kill one, but killed another, he is killed, so with the ox; if it meant to kill one, but killed another, it is killed] (*Ibid.* 44b).<sup>217</sup>

**the ox shall be stoned** - It was taught: The judgment of an ox is concluded only in its presence. Why so? For it is written: "the ox shall be stoned, and also its owner shall die." Just as the owner is judged only in his presence, so the ox is judged only in its presence (*Ibid.* 45a).<sup>218</sup>

**the ox shall be stoned** - An ox facing stoning is tried by twenty-three judges. Why so? For it is written: "the ox shall be stoned, and also its owner shall die." As the death of the owner, so is the death of the ox. Just as the owner [i.e., a man charged with murder] is tried by twenty-three judges, so, an ox [facing stoning] (*Sanhedrin* 2a).<sup>219</sup>

**the ox shall be stoned** - Rava said: The ox of a man who is a *treifah* [one with a fatal organic defect], if it killed, is exempt [from stoning], it being written: "the ox shall be stoned, and also its owner shall die." Wherever "and also its owner shall die" can be fulfilled, "the ox shall be stoned" obtains; and wherever "and also its owner shall die" cannot be fulfilled [as in the instance of *treifah*, where he shall not die in consequence of the goring judgment, but in consequence of his defect], "the ox shall be stoned" does not obtain (*Ibid.* 78a).<sup>220</sup>

**the ox shall be stoned** - R. Ashi said: If an ox that was a *treifah* killed, it is exempt [from stoning, it being written: "the ox shall be stoned, and also its owner shall die"]; and since, if the owner were a *treifah*, it would be exempt [see above], it is exempt now, too (*Ibid.*).<sup>221</sup>

**and also its owner shall die** - Now whence do you derive that the intent of "and also its owner shall die" is: "As the death of the owner, so is the death of the ox"? Perhaps it is to be taken literally, as prescribing the death penalty for the owner! Chezkiyah said: [This cannot be, for] it is written (*Numbers* 35:21): "The striker shall die; he is a murderer" — He is killed for *his* murder, and not for that of his ox (*Ibid.* 15b).<sup>222</sup>

**and also its owner shall die** - I would not know whether by the hand of Heaven or by the hand of man. [I derive that it is the former from] (30); "If *kofer* [lit., "atonement"] be set for him, then he shall give the redemption of his soul" — Redemptions are given only for those subject to death at the hands of Heaven (*Ibid.*).<sup>223</sup>

21:30 If *kofer* ["atonement"] be set for him, then he shall give the redemption of his soul, according to all that shall be set for him.

If *kofer* - complete *kofer*, and not half-*kofer* (*Bava Kamma* 40a).<sup>224</sup>

If *kofer* - *Kofer* is paid only after the death [of the victim]. Why so? For it is written: "and it killed a man or a woman, the ox shall be stoned, and also its owner shall die. If *kofer* be set for him ..." (*Ibid.* 42b).<sup>225,226</sup>

If *kofer* - When R. Dimmi came, R. Yochanan said: Why is it written: "If *kofer*," instead of just: "*kofer*"? To include *kofer* for non-intent as well as for intent [i.e., If the ox meant to kill a beast, but, instead, killed a man, though it is not stoned, the owner pays *kofer*](*Ibid.* 43b).<sup>227</sup>

If *kofer* - R. Yishmael said: Come and see the mercies of the Holy One Blessed be He with flesh and blood. A man can acquire his life from Heaven by means of money! (*Mechilta*).<sup>228</sup>

**then he shall give the redemption of his soul** - The value of the victim, and not that of the killer [i.e., the owner of the ox]. Whence is this derived? It is written here: "according to all that shall be set for him," and, above (22): "as the husband of the woman impose upon him." Just as there, the value of the victim [is imposed]; here, too, it is the value of the victim (*Bava Kamma* 40a).<sup>229</sup>

**according to all that is set for him** [lit., (in context) "for it"] - "for it"

and not for a man. From here it is derived that a man does not pay *kofer* [if he kills another] (*Ibid.* 26a).<sup>230</sup>

21:31 Or if it gore a son, or if it gore a daughter, according to this ordinance shall it be done to it.

Or if it gore a son - The Rabbis taught: "Or if it gore a son" — to impose liability for [the goring of] minors as for adults. This tells me only of a *mued* and of death. Whence do I derive [liability for] a *tam* and injury? From: "it gore," "it gore" [twice]: goring for a *tam*, goring for a *mued*; goring for death, goring for injury (*Ibid.* 44a).<sup>231</sup>

Or if it gore a son - This tells me only of a "confirmed" *son* and a "confirmed" *daughter*. Whence do I derive [the same *halachah* for] a *tumtum* [one whose sex is in doubt] and a hermaphrodite? From: "Or if it gore a son, or if it gore a daughter." This tells me only of another's son and daughter. Whence do I derive [the same for] his own son and daughter? From: "Or if it gore a son, or if it gore a daughter." This tells me only of a [born] Jew. Whence do I derive [the same for] converts? From: "Or if it gore a son, or if it gore a daughter" (*Mechilta*).<sup>232-234</sup>

according to this ordinance - The Rabbis taught: What is the intent of: "according to this ordinance"? According to the ordinance of ox goring ox, so is the ordinance of ox goring man. Just as in the ordinance of ox goring ox, a *tam* pays half-damages and a *mued*, full damages, so, in that of ox goring man, a *tam* pays half-damages and a *mued*, full damages. What is the intent of: "*this*" ["*this* ordinance"]? To exempt [ox goring man] from four things [i.e., payments, for which man striking man is liable, viz.: pain, healing, disability, and shame] (*Bava Kamma* 33a).<sup>235,236</sup>

21:32 If the ox gore a man-servant or a maid-servant, then silver, thirty shekels, shall he give to his master, and the ox shall be stoned.

If a man-servant - When Ravin came, R. Yochanan said: Why is it written: "*If* a man-servant," instead of just: "a man-servant"? To include a servant without intent as a servant with intent [i.e., If the ox

meant to kill a beast, but, instead, killed a servant, the owner must nonetheless pay the thirty shekels] (*Ibid.* 43b).<sup>237</sup>

**If a man-servant** - Scripture here speaks of a Canaanite man-servant. But perhaps it is a Hebrew man-servant! [This cannot be, for]: “silver, thirty shekels shall he give to his master” indicates that it is a Canaanite man-servant [for if it were a Hebrew man-servant, the payment would go to his heirs] (*Mechilta*).<sup>238</sup>

**If a man-servant** - Now, were not man-servant and maid-servant included in (29): “and it killed a man or a woman”? Why, then, were they singled out for special legislation? For attenuation and for stringency. For attenuation — even if they were worth one hundred *maneh*, he pays only thirty shekels. For stringency — even if they were worth only a dinar, he still pays thirty shekels (*Ibid.*).<sup>239</sup>

**silver, thirty shekels** - The thirty shekels of [i.e., paid for] the servant are in the sacred shekel, according to the *maneh* of Tyre (*Bechoroth* 49b).<sup>240</sup>

**shall he give to his master** - [If the ox gored] a servant who lacked [only] the writ of emancipation [for his release], the [thirty shekel] fine is not paid. Why not? For it is written: “shall he give to his master”; and this one is no longer his master (*Gittin* 42b).<sup>241</sup>

**shall he give to his master** - whether it be a man or a woman (*Mechilta*).<sup>242</sup>

**and the ox shall be stoned** - Why need this be mentioned? Because it [servant] was included in the general rule [of an ox killing a man], and it was excluded from that rule for a novel one [i.e., thirty shekels — I might, therefore, think that it was also excluded from the stoning provision. Therefore,] Scripture here restores it to the general rule [for stoning]. Another interpretation: “and the ox shall be stoned” — to include his own ox (*Ibid.*).<sup>243,244</sup>

**21:33 And if a man open a pit, or if a man dig a pit, and he not cover it, and there fall into it an ox or an ass,**

**And if a man open** - Now are not both ox and pit his property? If he is

liable for ox, why should he not be liable for pit? What need is there to state: "And if a man open a pit"? [It is not superfluous, for] I might think that he is liable for ox because of the ox's tendency to walk and cause damage, as opposed to pit; it is, therefore, written: "And if a man open a pit" (*Ibid.*).<sup>245</sup>

**a pit** - Both pit and cavity, cave, cleft, and ditch. Why, then, is "pit" [specifically] mentioned? Just as "pit" signifies [one that is] sufficiently deep to cause death, i.e., ten *tefachim* [hand-breadths]; so, all must be sufficiently deep to cause death — ten *tefachim* (*Bava Kamma* 50b).<sup>246</sup>

**or if a man dig** - If he is liable for opening it, how much more so for digging it! [Why mention it, then?] [The intent is that] his liability is the result of the *act* of digging [and not a function of his ownership]. From here it is derived that one who digs or opens a pit in a public thoroughfare is liable (*Ibid.* a).<sup>247</sup>

**or if a man dig** - If he is liable for opening, is it not obvious that he is liable for digging? [Why mention it, then?] From here it is derived that punishments are not derived from *a fortiori* arguments (*Mechilta*).<sup>248</sup>

**or if a man dig** - Digging is being likened to opening, and opening, to digging, viz.: Just as one who opens a pit with permission is not liable, so, one who digs it with permission is not liable. And just as digging requires a quantity [ten *tefachim* (for liability)], so does opening (*Ibid.*).<sup>249,250</sup>

**if a man dig** - [If an ox dug a pit in a public thoroughfare or in another's property, its owner is not liable,] it being written: "if a man dig" — "a man," and not an ox (*Bava Kamma* 48a).<sup>251</sup>

**if a man dig** - It was taught: If one digs a pit of nine [*tefachim*], and another comes and completes it to ten, the latter is liable, it being written: "if a man dig," *one*, and not two. But whence do we derive that the second is liable? Perhaps it is the first! [We derive it] from (34): "and the dead body shall be *his*" — he that caused death [and *ten* is required for death] (*Ibid.* 51a).<sup>252</sup>

**if a man dig a pit** - This tells me [of liability] only if he *digs* [i.e., performs an act]. Whence do I derive [that he is liable] if he bought it, inherited it, or received it as a gift [and he did not cover it]? From: "*or*

if a man dig a pit" [which connotes that the digging is not essential to the liability] (*Yerushalmi Bava Kamma* 5:6).<sup>253</sup>

if a man dig a pit - Why mention "pit," "pit" [twice]? One "pit" [even less than ten *tefachim*] for damages; the other, for death (*Ibid.*).<sup>254</sup>

if a man dig a pit - [Why mention this?] To impose liability for the opening in itself and the digging in itself (*Mechilta*).<sup>255</sup>

and he not cover it - But if he covered it properly, and there fell into it an ox or an ass, and it died, he is not liable (*Bava Kamma* 46a).<sup>256</sup>

and he not cover it - It was taught: Scripture was not over-stringent as to the guarding of a pit, it being written: "and he not cover it," the implication being that if he *did* cover it [even though he did not seal it] he is not liable (*Ibid.* 55b).<sup>257</sup>

and he not cover it - to include [liability for (even)] a non-paid watchman [who fails to cover it] (*Mechilta*).<sup>258</sup>

and he not cover it - From: "If he open" and "If he dig," I might think [that he is liable] only if he opened or dug it. Whence would I derive [that he is liable] if he figured, paneled, plastered, or performed any other act in it [to which the death is attributable]? From: "and he not cover it." It is not opening or digging which is the criterion [for liability], but covering [i.e., failure to cover it] (*Ibid.*).<sup>259</sup>

and there fall into it - Shmuel said: The pit for which the Torah imposed liability is [one which causes death] because of its vapors, and, it goes without saying, [one which causes death] because of the blow [sustained there]. Whence is this derived? From: "and there fall" — any kind of falling [which results in death] is implied. Where is this distinction operative? In the instance of one who builds a [ten-*tefach*] mound in the public domain [in which instance the "vapor" factor is absent, but the "blow" factor is present] (*Bava Kamma* 50b).<sup>260,261</sup>

and there fall into it - in the normal manner of falling — whence it was derived: If it [the ox] fell forward because of [fright at] the sound of digging, he [the owner of the pit] is liable; if [it walked] backwards at the sound of digging [and fell in], he is not liable (*Mechilta*).<sup>262</sup>

**an ox or an ass** - If there fell into it an ox and its trappings, and they were broken; an ass and its trappings, and they were torn, he is liable for the beast, but not for the trappings, it being written: "and there fall into it an ox or an ass" — "an *ox*," and not a man; "an *ass*," and not [its] trappings (*Bava Kamma* 28b).<sup>263</sup>

**an ox or an ass** - "or" is a distinguishing element here [i.e., *both* (ox and ass) are not necessary, but either-or] (*Ibid.* 54a).<sup>264</sup>

**an ox or an ass** - An ox or any other beast, even an animal or a bird, it being written (34): "Money shall he restore to its master" — whatever has a master. If so, why is it written: "an ox or an ass"? Scripture speaks of the common instance (*Ibid.* b).<sup>265</sup>

**21:34 The owner of the pit shall pay. Money shall he restore to its owner, and the carcass shall belong to him.**

**The owner of the pit** - "The owner of *the pit*" — a pit which has an owner; to include [liability for] a pit in his possession [i.e., If he relinquished his rights in the property, but not in the pit, he is liable] (*Ibid.* 50a).<sup>266</sup>

**The owner of the pit shall pay** - in any event [whether he himself dug it or not] (*Mechilta*).<sup>267</sup>

**Money shall he restore** - to include what is *worth* money as being equivalent to money, even what is of inferior quality (*Bava Kamma* 7a).<sup>268</sup>

**shall he restore to its owner** - See commentary (265)

**and the carcass shall belong to him** - From here it is derived that the "pit" of the Torah is one which is deep enough to cause death. And the sages ruled: Ten *tefachim* can cause death; nine can cause injury, but not death (*Bava Kamma* 3a).<sup>269</sup>

**and the carcass shall belong to him** - It was taught: Others say: Whence is it derived that it devolves upon the owner of the pit to raise the carcass from his pit? From: "Money shall he restore to its owner and the carcass" [the implication being that he (the owner) restores both the money and the carcass] (*Ibid.* 11a).<sup>270</sup>

**and the carcass shall belong to him** - One is not liable for an unfit consecrated ox which fell into a pit, it being written: "and the carcass shall belong to him" — [Liability obtains only] where the carcass can belong to him, to exclude the afore-mentioned instance, where the carcass does not belong to him [i.e., where he is not permitted to derive benefit from it] (*Ibid.* 51a).<sup>271</sup>

**and the carcass shall belong to him** - R. Yishmael taught: "and the carcass shall belong to him" — to exclude [liability for] land [damaged by the excavation of a pit], which cannot be moved [and thus cannot be restored "to him"]; and to exclude [liability for] a person, it being forbidden to derive benefit from a dead body [so that it cannot "belong" to him] (*Yerushalmi Bava Kamma* 1:1).<sup>272,273</sup>

**and the carcass shall belong to him** - "to him" — to him who sustained the loss. But perhaps it belongs to him who caused the loss! [This cannot be, for] if so, why need it be mentioned: "and the carcass shall belong to him"? [i.e., If he must compensate for the entire loss, then certainly the carcass belongs to him!] [It must be, then, that the carcass belongs to him who sustained the loss] and the intent of the verse is that the value of the carcass is deducted from the total loss and *that* amount is restored in addition to the carcass (*Mechilta*).<sup>274</sup>

21:35 And if the ox of a man butt the ox of its neighbor and it die, then they shall sell the living ox and halve its money, and also the carcass shall they halve.

**And if an ox butt [yigof]** - It was taught: The verse begins with "*negifah*" [*yigof*] and ends with "*negichah*" [(36): "Or if it be known that it were a goring (*nagach*) ox"], indicating that *negifah* and *negichah* are one and the same [i.e., both being with the horns] (*Bava Kamma* 2.2).<sup>275</sup>

**the ox of a man** - to exclude the ox of a minor (*Mechilta*).<sup>276</sup>

**the ox of its neighbor** - "its neighbor" — to exclude [liability for] an ox belonging to the Temple or to idolators. But if the ox of an idolator gored the ox of a Jew, he is liable (*Ibid.* 37b).<sup>277</sup>

**then they shall sell the living ox** - Whom is Scripture exhorting here?

The *nizzak* [the sustainer of the loss] and the *mazzik* [the causer of the loss], but not *beth-din*. These are the words of R. Akiva. Why is this so [i.e., that they both sell the ox]? They are partners. How does this manifest itself in practice? If the *nizzak* consecrates the ox, it is [halachically] consecrated [because of his share in it] (*Ibid.* 33a).<sup>278</sup>

**the living ox** - This tells me only of the *living* ox. Whence do I derive [that the same *halachah* applies] if it were slaughtered? From: "then they shall sell the ox" — in any event (*Ibid.* b).<sup>279</sup>

**and halve its money** - What is the intent of "*its* money"? To teach: the money of *this* one [which caused damage by the horn], and not the money [owing for damage] by tooth or foot. [From here it is derived that there is no liability for damage caused in the public domain by the normal movement of tooth or foot] (*Ibid.* 26a).<sup>280</sup>

**and halve its money** - An ox worth two hundred which gored an ox worth two hundred, and the carcass is worth nothing. R. Meir said: This is the subject of the verse: "then they shall sell the living ox and halve its money" (*Ibid.* 34a).<sup>281</sup>

**the carcass shall they halve** - An ox worth two hundred which gored an ox worth two hundred, and the carcass is worth fifty *zuz*. R. Yehudah said: [This is the subject of: "and also the carcass shall they halve"]; each [both the *nizzak* and the *mazzik*] takes half [the value of] the living ox and half the dead one (*Ibid.*).<sup>282</sup>

**the carcass [lit., "the dead"] shall they halve** - From here R. Meir derived: The loss caused by the death [i.e., the difference between the living and the dead animal] is halved from the living animal (*Ibid.* b).<sup>283</sup>

**shall they halve** - [to teach about "horn" damages that there is half-damage liability for them even in the public domain], as R. Yochanan said: It is written: "shall they halve" — There is no difference between the public or the private domain [vis à vis the payment for "horn" damage.] It is a half-damage payment [in both instances] (*Ibid.* 26a).<sup>284</sup>

21:36 Or if it be known that it were a goring ox from yesterday and the day before, and its owner did not guard him, then

pay he shall pay, an ox for an ox, and the carcass shall belong to him.

**then pay he shall pay** - R. Yehudah said: I might think that in the instance of an ox worth five *selaim* [twenty *zuz*] goring an ox worth five *selaim*, with the carcass worth thirty *zuz* — I might think that in such an instance, too, the *mazzik* takes half the value [of the carcass]; it is, therefore, written: “then pay he shall pay” — the owner *pays*, and he does not *take* [(profit)] (*Ibid.* 34b).<sup>285</sup>

**an ox for an ox** - This tells me only of a beast [i.e., that he pays with a beast]. Whence do I derive [that he may pay with] money? It is written here: “and the carcass shall belong to him,” and, above (34): “and the carcass shall belong to him.” Just as there, [payment is made in] money; here, too, [it may be made in money]; and just as here [payment may be made with] a beast, there, too, it may be made with a beast (*Mechilta*).<sup>286</sup>

**and the carcass shall belong to him** - The Rabbis taught: “payment of [lit., “completion of”] the damage” — This teaches us that the *nizzak* “deals with” the carcass [i.e., that the *mazzik* “completes” payment of the damage by deducting (from the total damages) the value of the carcass, which reverts to the *nizzak*]. Whence is this derived? It was taught in the school of Chezkiah: [From:] “and the carcass shall belong to him” — to the *nizzak*. For if it occurred to you that the *mazzik* were intended, it would have been sufficient to state: “an ox for an ox,” and no more. [i.e., If the *mazzik* must compensate for the entire loss, then obviously the carcass belongs to him!]. Why state further: “and the carcass shall belong to him”? Obviously, to tell us that the carcass reverts to the *nizzak* [the intent of the verse being that the value of the carcass is deducted from the total, and *that* amount is restored in addition to the carcass] (*Bava Kamma* 10b).<sup>287,288</sup>

**and the carcass shall belong to him** - R. Cahana said to Rava: Now, if the *mazzik* has several carcasses, he may reimburse the *nizzak* with them, as the master said (34): “he shall restore” — to include what is *worth* money as being equivalent to money, even what is of inferior quality — then certainly he may reimburse him with his own! Why, then, need it be stated: “and the carcass shall belong to him”? It must be stated in respect to deterioration of the carcass [i.e., If the carcass

deteriorates in value from the time of the goring until that of the payment, that loss is incurred by the *nizzak*, since the carcass “belongs to him,” and the *mazzik* may deduct its full worth at the time of the goring] (*Ibid.*).<sup>289</sup>

21:37 If a man steal an ox or a lamb, and slaughter it or sell it, then five (head of) cattle shall he pay for the ox, and four sheep for the lamb.

**an ox or a lamb** - The “four and five” payment obtains only with an ox and a lamb” [and not with other animals], it being written: “If a man steal an ox or a lamb ... ” (*Ibid.* 62b).<sup>290</sup>

**an ox or a lamb** - “or” — to include a hybrid (*Ibid.* 77b).<sup>291</sup>

**an ox or a lamb** - [“or”] — to impose liability for [the theft of] each in itself (*Mechilta*).<sup>292</sup>

**and slaughter it** - It was taught: I might think that if one stole [the beast] from his partner, or that if two partners stole [and one of them slaughtered it without the other’s consent] — I might think that he [the slaughterer] would be liable [for the “four and five” payment]; it is, therefore, written: “and slaughter it” — He must slaughter *all* of it [i.e., all of a *stolen* animal], and this does not obtain here [part of it being his] (*Bava Kamma* 78b).<sup>293</sup>

**and slaughter it or sell it** - “selling” similar to “slaughtering” — Just as a slaughtered animal does not return, so [a type of] selling [is required (for liability)] that does not return [i.e., that is permanently “sold”], to exclude a thirty-day-sale [i.e., hiring it out for a specific time period] (*Ibid.* 68a).<sup>294</sup>

**and slaughter it or sell it** - It was taught in the school of R. Yishmael: “or” — to include [liability if he slaughters or sells through] a messenger (*Ibid.* 71a).<sup>295</sup>

**and slaughter it or sell it** - The Rabbis taught: If he sold it except for one-hundredth of it; except for its fore-leg; except for its hind leg, he does not pay “four and five.” [If he sold it] except for its horn; except for its wool, he *does* pay “four and five.” Why so? For it is written:

"and slaughter it or sell it" — selling similar to slaughtering, viz, whatever is subsumed in slaughtering [And the first (exceptions) are subsumed in slaughtering; the second are not] (*Ibid.* 78b).<sup>296</sup>

**and slaughter it or sell it** - The Rabbis taught: If he stole it and gave it to another, who slaughtered it; or stole it and gave it to another, who sold it, he pays "four and five." And though in the entire Torah "there is no messenger for transgression" [i.e., one does not become an agent to perform a transgression for another], here, there is. Why so? For it is written: "and slaughter it and sell it" — slaughtering similar to selling. Just as selling is impossible without another [the buyer], so slaughtering performed by another imposes liability [of "four and five" upon the thief] (*Ibid.* 79a).<sup>297</sup>

**and slaughter it or sell it** - Slaughtering is being likened to selling, and selling, to slaughtering. Just as selling is outside his [the owner's] domain, and [after the sale] the animal may be eaten, so slaughtering [to make the thief liable for "four and five" must satisfy these criteria]. And just as in slaughtering, *all* [of the animal is involved], so in selling, *all* of the animal must be sold [See commentary (296)] (*Mechilta*).<sup>298, 299</sup>

**or sell it** - The Rabbis taught: If he stole it and consecrated it, he [still] pays "four and five." Why so? It is written: "or sell it." What difference does it make whether he sold it to a [lay] buyer or to the Temple? (*Bava Kamma* 79a).<sup>300</sup>

**five head of cattle** - It was taught: R. Akiva said: Why does Scripture ordain "four and five" payment for one who slaughtered or sold? Because [by doing this] he has rooted himself in the sin. Rava says: Because he has repeated the sin (*Ibid.* 67b, 68a).<sup>301</sup>

**five (head of) cattle** - If he stole an ox belonging to two partners and slaughtered it, and he admitted the theft to one of them [which exempts him from the "four and five" payment to that one (admission of a penalty liability [*knass*] exempting one from it), still,] he is liable [to make the half-payment to the other partner]. Why so? For it is written: "five cattle" — even five "half-cattle" (*Ibid.* 71b).<sup>302</sup>

**five (head of) cattle**, - It was taught: R. Meir said: Come and see how great is the power of work. [For] an ox, which he took from its work

[he must pay] five-fold; [for] a lamb, which he did not take from its work [he pays (only)] four-fold (*Ibid.* 79b).<sup>303</sup>

five (head of) cattle, etc. - It was taught: R. Yochanan b. Zakkai said: Come and see how great is (concern for) human dignity. [For] an ox, which walks on its feet [and need not be carried by the thief, he pays] five-fold; [for] a lamb, which he must carry on his back [he pays (only)] four-fold [having already made a kind of partial payment in the sacrifice of his dignity] (*Ibid.*).<sup>304</sup>

five (head of) cattle, etc. - It was taught: If one stole an ox or a lamb belonging to the Temple, he does not pay "four and five." Why so? Scripture writes "four and five," and not "three and four" [i.e. Since Temple property is exempt from *kefel* ("double-payment"), which is part of the "four and five," he would have to pay "three and four"] (*Bava Kamma* 57b).<sup>305</sup>

five (head of) cattle, etc. - "five (head of) cattle" — four and it [i.e., the one he stole]; "and four sheep" — three and it (*Mechilta*).<sup>306</sup>

for the ox - It was taught: I might think that if he stole an ox or sheep worth a *maneh* [a large sum], he may pay back emaciated ones; it is, therefore, written: "for" [*tachath*," connoting "in place of], "for" [implying that each of the "four and five" must be of the same quality as the one stolen] (*Bava Kamma* 67b).<sup>307</sup>

for the ox - It was taught in the school of Chezariah: "for [*tachath*" ("in place of")] the ox" — to include [liability through] a messenger [who is "in place of" the thief (See commentary 295)] (*Ibid.* 78b).<sup>308</sup>

22:1 If the thief be found breaking in, and he be struck and die, he has no blood.

If the thief be found breaking in - R. Yishmael expounded: Whence is it derived that saving a life overrides the Sabbath? From: "If the thief be found breaking in ..." Now, if this one [i.e., the thief], who may be coming for money [alone, but not to kill], or who may be coming [also] to kill — and [if the former were the case] spilling [the thief's] blood defiles the land and causes the Shechinah to depart from Israel — still, [though there is a doubt whether he is coming to kill], he may be killed

to save one's life [which *may* be endangered] — how much more so does it follow that the saving of life overrides the Sabbath! (*Yoma* 85a).<sup>1</sup>

**If the thief be found breaking in** - Rava said: What is the rationale of this [i.e., being permitted to kill a thief who is breaking in]? It is axiomatic that no one will simply allow his money to be taken; and the thief will think to himself: If I go in, he will stand up against me and resist; and if he does, I will kill him. And the Torah says: "If one comes to kill you, arise and kill him" (*Sanhedrin* 72a).<sup>2</sup>

**If the thief be found breaking in** - The Rabbis taught: This tells me only of breaking in. Whence do I derive [the same *halachah*] for [a thief who enters] his roof, his yard, or his enclosure? From: "If the thief be *found*" — anywhere. If so, why is "breaking in" mentioned? Because this is the practice of most thieves (*Sanhedrin* 72a).<sup>3,4</sup>

**If the thief be found breaking in** - The Rabbis taught: This tells me only of breaking in. Whence do I derive his roof, his yard, or his enclosure? From: "If the thief be *found*" — anywhere. If so, why is "breaking in" mentioned? To teach that his breaking in is his warning [i.e., If he breaks in, he need not be warned, but may be killed outright] (*Ibid.*).<sup>5</sup>

**If the thief be found breaking in** - R. Chiyya taught: "If [in the act of] breaking in, he has no blood," [i.e., he may be killed]; but outside of it [i.e., if he desists and starts to leave], he *has* blood, [i.e., he may not be killed] (*Yerushami Sanhedrin* 8:8).<sup>6</sup>

**and he be struck and die** - The Rabbis taught: "and he be struck" — by anyone; "and die" — in whichever way he can be killed (*Sanhedrin* 72b).<sup>7</sup>

**he has no blood** - The Rabbis taught: "he has no blood" — whether on a weekday or on the Sabbath [he may be killed]. Why need this be mentioned? [Is it not obvious? No, it is not obvious, for] I might think that this instance is analogous to that of those awaiting execution by *beth-din*, who are *not* killed on the Sabbath. It is, therefore, necessary to state that in *this* instance he *is* killed (*Ibid.*).<sup>8</sup>

22:2 If the sun shone upon him, he has blood. He shall make

payment; if he cannot pay, then he shall be sold for his theft.

**If the sun shone upon him** - Now is it upon him alone that the sun shines? What, then, is the intent of "upon him"? In one *baraita* it was taught: If it is as clear to you as the sun that he is not at peace with you [i.e., that he will kill you], then kill him; if not, do not kill him. In a different *baraita* it was taught: If it is as clear to you as the sun that he is at peace with you, then do not kill him; if not, kill him. The two *baraitoth* contradict each other! [the first, forbidding killing in case of doubt; the second sanctioning it] There is no contradiction. The first speaks of a father robbing his son (it being assumed, in case of doubt, that a father would not kill his son); the second speaks of a son robbing his father (*Ibid.* a).<sup>9,10</sup>

**If the sun shone upon him** - Now is it upon him alone that the sun shines? Does it not shine upon all men! But just as the sun brings peace to all men, similarly, so long as it is known that his intentions are "peaceful" [i.e., that he does not intend to kill], then one who kills him is himself killed (*Yerushalmi Sanhedrin* 8:8).<sup>11</sup>

**If the sun shone upon him** - I might think that Scripture is here making a distinction between day and night — that if he killed him in the daytime he is liable, but not if he killed him at night; it is, therefore written (*Deuteronomy* 22:26): "But to the maiden you shall not do a thing." Just as there, no such distinction is made between day and night; here, too, no such distinction is made. And just as there, if she killed him though others could have saved her without killing him, she is liable; here, too, the same applies (*Mechilta*).<sup>12</sup>

**he has blood** - The Rabbis taught: "he has blood" [i.e., he may not be killed], both on a weekday and on the Sabbath. But is this not obvious? If he may not be killed on a weekday, how much more so on the Sabbath! R. Shesheth said: The intent [of the Rabbis] is that [to save his life] he must be extracted from the debris [of his breaking in if he were thus entrapped on the Sabbath] (*Sanhedrin* 72b).<sup>13</sup>

**he has blood. He shall make payment** - It was taught: R. Eliezer b. Yaakov says: If there were before him pitchers of wine and pitchers of oil, and he broke them, and it were known [to the owner] that the thief

is at peace with him [i.e., that he would not kill him], and that he himself would be killed [if he killed the thief] — in such an instance, the thief is liable to pay [for the broken vessels]. This is the intent of: “he has blood” [i.e., if he may not be killed; *then*] “he shall make payment” (*Mechilta*).<sup>14</sup>

**then he shall be sold** - The Rabbis taught: If the value of the theft were five hundred *zuz*, and he himself were worth one thousand [as a servant,], he is not sold. Why not? For it is written: “then *he*” shall be sold” — *all* of him, and not part of him (*Kiddushin* 18a).<sup>15</sup>

**then he shall be sold for his theft** - “for his *theft*” [i.e., the principal], and not for his *kefel* [the “double-payment” penalty, i.e., if he has enough to pay the principal, but not the *kefel*, he is not to be sold]; and not for his scheming [as a witness, testifying falsely that another has stolen] (*Ibid.*).<sup>16,17</sup>

**then he shall be sold for his theft** - The Rabbis taught: “then he shall be sold for his theft”: If he is sold once, he may not be sold again. And this is so [only if he stole several times] from one man, but [if he stole] from two men, then he may be sold [for the theft of the first] and re-sold [for the theft of the second] (*Kiddushin* 18a).<sup>18</sup>

**then he shall be sold for his theft** - A man is sold for his theft, and not a woman, it being written: “then he shall be sold for his theft” — “for *his* theft,” and not “for *her* theft” (*Sotah* 23b).<sup>19</sup>

**22:3** If found will be found in his hand the theft, from ox until ass, until lamb, live ones, two, shall he pay.

**If found will be found** - It was taught: If one acknowledges a penalty liability [*knass*], and then witnesses come [testifying to that liability], Rav says: He is exempt [from it]. Why so? For it is written: “If found will be found... ” “found” — through witnesses; “found” — through judges; to exclude one who incriminates *himself*. Now why is this verse needed? Is it [i.e., this teaching] not derived from (8); “When the judges incriminate,” and not one who incriminates himself? It must come to teach us, then, that if one acknowledges a penalty liability, and then witnesses come, he is exempt (*Bava Kamma* 75a).<sup>20,21</sup>

**will be found in his hand** - This tells us only of [what is found in] his hand. Whence do we derive [the same *halachah* for what is found] on his roof, in his yard, and in his enclosure? From: "If found will be found" — anywhere (*Ibid.* 65a).<sup>22</sup>

**the theft** - "live ones" accounts for what is living. What, then, does "the theft" refer to? All things [i.e., He must make the double payment (*kefel*) even for inanimate objects] (*Ibid.* 63b).<sup>23</sup>

**from ox until ass** - Both an ox and all other beasts are included in the payment of *kefel*, it being written (8): "For every object of offense." Why, then, is it written: "from ox until ass"? Scripture speaks of the common instance (*Ibid.* 54).<sup>24</sup>

**from ox until ass until lamb** - It was taught in the school of R. Yishmael: Why does Scripture mention: "ox, ass, and lamb"? One, to exclude land, which is not movable [as animals are]; one, to exclude servants, in which the owner has only rights of use [but not ownership]; and one, to exclude writs, which are only corroborative documents [and not possessions] (*Yerushalmi Bava Kamma* 7:1).<sup>25-27</sup>

**live ones, two, shall he pay** - [How does he pay?] Rav said: The principal — as it was [worth] when he stole it; the double-payment [*kefel*] and the "four and five" payment — as [it is worth] at the time of judgment. Why so? [i.e., Why is the principal paid according to the time of the theft?] For it is written: "theft" and "live ones." Why does Scripture mention "live ones" in relation to "theft" [which may be inanimate]? [The intent is] "Revive" the principal as it was when it was stolen (*Bava Kamma* 65a).<sup>28,29</sup>

**live ones, two, shall he pay** - It was taught: No estimate is made for the thief or for the robber [i.e., If the stolen animal died, or if the stolen object were broken, the carcass and the pieces (respectively) are not returned to the owner and their value deducted from the total payment; but payment must be made in full and the "remains" remain with the thief]. Whence is this derived? R. Abba b. Memel said: From: "live ones, two, shall he pay" — "live ones," and not dead ones (*Yerushalmi Bava Kamma* 1:1).<sup>30,31</sup>

**live ones, two, shall he pay** - If one deposits with his neighbor a beast or vessels, and they are stolen or lost, and he swears [that he was not

remiss with them], and the thief was found, he pays *kefel* and “four and five” to the owner of the object. Now why does he not pay the one with whom the object was deposited? R. Yonah said: For it is written: “live ones, two, shall he pay” — Wherever the principal [i.e., the “live” one] goes, there, *kefel* and “four and five” go (*Yerushalmi Bava Metzia* 3:1).<sup>32,33</sup>

**live ones, two, shall he pay** - It was taught: R. Yaakov says: “two, shall he pay,” without an oath [i.e., It is not necessary that he swear falsely not to have stolen it in order to be liable for the *kefel* payment]. But perhaps he is liable only *with* an oath. Abbaye said: [This is not so, for] let the Torah not write: “live ones, two, shall he pay” in respect to a thief, and let it be derived from [the instance of one with whom an object was deposited and] who claims [swearing falsely] that it was stolen from him, in which instance, though it entered his hands lawfully, Scripture imposes the *kefel* payment; how much more so [is *kefel* binding on one (swearing falsely)] whose hands the object entered unlawfully [i.e., by theft]! Why, then, need the Torah write: “live ones, two, shall he pay” in respect to the thief himself? It must be, then, to teach us that for the thief himself this liability exists even without the false oath (*Bava Kamma* 64b).<sup>34</sup>

**two, shall he pay** - If one deposits with his neighbor a beast or vessels, and they are stolen or lost, and he pays, refusing to take an oath [that he was not remiss with them], and then the thief is found, he pays *kefel* and “four and five” to the one with whom the object was deposited [and not to the original owner], it being written: “If found will be found in his hand ... live ones, two, shall he pay.” Now do we not know that if the thief is found he pays double? Why, then, mention: “two shall he pay”? If it is not needed for this teaching itself, understand it as applying to what precedes [i.e., the reversion of *kefel* to whomever the principal (*keren*) reverts] (*Yerushalmi Bava Metzia* 3:1).<sup>35</sup>

**22:4** If a man ravage a field or a vineyard, and he send his beast, and it eat in another's field, then the best of his field and the best of his vineyard shall he pay.

**If a man ravage** - Now if “pit” is his property [and this is the criterion for liability], and “tooth” [i.e., the tooth of his beast] is his property —

if we are taught that he is liable for [damages of] “pit,” [which is stationary], should he not be liable for [those of] “tooth” [which moves]? Why, then, need it be written: “If a man ravage” [by the tooth of his beast ...]? To teach that “tooth” is a *mued* [“confirmed”] to eat what is appropriate for it, and that a beast [i.e., “foot”] is a *mued* to break [objects in its path] as it walks [so that there is full liability even for the first instance of such damages] (*Mechilta*).<sup>36,37</sup>

**If a man ravage** - This tells me only of “a man.” Whence do we derive [the same *halachah* for] a woman, a *tumtum* [one whose sex is in doubt], and a hermaphrodite? From (5): “then pay shall pay the lighter of the fire” — anyone [who lights it] (*Ibid.*).<sup>38</sup>

**a field or a vineyard** - “or a vineyard” — to impose liability for each in itself. Another interpretation: “a field or a vineyard” — Just as a vineyard produces fruit, so “field,” here, is one which produces fruit (*Ibid.*).<sup>39,40</sup>

**and he send ... and it eat** - It was taught: “and he send” — this is “foot” [i.e., damages caused by the foot], as it is written (*Isaiah* 32:20): “senders of the foot of the ox and the ass”; “and it eat” [lit., “consume”] — this is “tooth,” as it is written (*I Kings* 14:10): “as the tooth consumes until the end” (*Bava Kamma* 2b).<sup>41</sup>

**and he send ... and it eat** - Now let it be written: “and he send,” and “and it eat” would not be needed; for it [“and he send”] connotes “foot,” as in (*Isaiah* 32:20): “senders of the foot of the ox and the ass,” and it also connotes “tooth,” as in (*Deuteronomy* 32:24): “and the tooth of beasts shall I send against them.” It [“and it eat”] *is* needed, for [were it not written], I would think that this is so [i.e., that he is liable] only when he sends it, but not if it goes [and eats] by itself; it is, therefore, written [“and it eat” (connoting “by itself”)] (*Ibid.* 3a).<sup>42</sup>

**and he send ... and it eat** - It was taught: The obligation of the owner to guard his beast [against causing damage] was attenuated in the case of “tooth” and “foot,” it being written: “and he send ... and it eat” — [He is not liable] until he seems to be *making* it eat and until he seems to be *making* it go [by being *grossly* negligent in his guarding of the animal] (*Ibid.* 55b).<sup>43</sup>

**and he send his beast [beiroh]** - Even though "*beiroh*" is "his *beast*," still, "animal" is included in the context of damages, for "animal" is included in "beast" (*Ibid.* 17b).<sup>44</sup>

**and he send his beast** - From here [i.e., from the fact that "loose" guarding is sufficient (see commentary 43)] it was derived: If he gave his sheep to his son, his messenger, or his servant, he is exempt [from damages]; if [he gave his sheep] to a deaf-mute, an imbecile, or a minor, he is liable (*Mechilta*).<sup>45</sup>

**and it eat in another's field** - ["in *another's* field," without the permission of the owner,] in which instance he can say to him: "What is your ox doing in my property?" (*Bava Kamma* 13b).<sup>46</sup>

**and it eat in another's field** - "in another's field," and not in the public domain — whence it is derived that "tooth" and "foot" are exempt in the public domain, [where the animal has a right to be, and where the others must guard their wares] (*Ibid.* 25b).<sup>47</sup>

**and it eat in another's field** - This teaches us that damages are estimated on the basis of "another field." How so? [If the animal ate one furrow,] an estimate is made of how much an intact *beth sa'ah* [fifty by fifty ells] in that field is worth, and how much it is worth now [with the furrow eaten; and it is the difference which constitutes the damages]. And all this applies to growing fruit, which is dependent upon the field; but if the animal ate ripened fruit, since it is no longer dependent upon the field, it is paid for according to its own worth (*Ibid.* 59b).<sup>48,49</sup>

**and it eat in another's field** - [In a yard belonging to partners, which is set aside for fruit, but not for oxen], and, similarly, in a yard which belongs to neither, there is liability for "tooth" and "foot," it being written: "and it eat in another's field" — in any instance [of "another's field"] (*Yerushalmi Bava Kamma* 1:2).<sup>50</sup>

**the best of his field** - From here it is derived that damages are assessed relative to the best quality (*Gittin* 48b).<sup>51</sup>

**the best of his field** - It was taught: R. Akiva says: "the best of his field" — that of the *mazzik* [the causer of the damage]; "and the best of his vineyard" — that of the *mazzik*. Whence is this derived? From: "the

best of his field and the best of his vineyard shall he pay" — [the best of] the one who is doing the paying (*Bava Kamma* 6b).<sup>52</sup>

**the best of his field** - But did we not learn (21:34): "Money shall he restore to its owner" — even what is of inferior quality? [The resolution is that] with "movables" everything is "the best," for if they cannot be sold here, they can be sold elsewhere. But with land [where this does not obtain], he must give him the best so that buyers "grab" for it (*Ibid.* 7b).<sup>53</sup>

**the best of his field** - "the *best* of his *field*" — to exclude "attached" property, and to exclude "movables" (*Yerushalmi Gittin* 5:1).<sup>54,55</sup>

**and the best of his vineyard** - to exclude one that is consecrated, and to exclude one that he was in line to receive [upon the death of his father] from being regarded as his [vis à vis payment for damages caused by him in the lifetime of his father] (*Ibid.*).<sup>56,57</sup>

22:5 If fire go out, and find thorns, and there be consumed sheaves, or the standing corn, or the field, then pay shall he pay, he that lights the fire.

**If fire go out** - It was taught: Scripture opens with damage caused by his *possessions* ["if fire go out, etc."] and concludes with damage caused by *himself*, viz.: "then pay shall he pay, *he that lights* the fire" — to teach that he is liable for his fire by reason of its being considered his "arrow" [i.e., as proceeding directly from his "power" (as opposed to being considered merely his "possession," but not an extension of him)]. What difference does it make [which it is considered]? [It makes a difference] in respect to liability for the "four things" [i.e., four payments: pain, healing, disability, and shame. If fire is considered "his arrow," he is liable for these things; if merely "his possession," he is not liable] (*Bava Kamma* 23a).<sup>58</sup>

**If fire go out, etc.** - R. Shmuel b. Nachmani said in the name of R. Yonathan: Calamity visits the world only when there are evildoers in the world, as it is written: "If fire go out and find thorns ..." When does fire go out? Only when "thorns" are found for it. And it [the calamity] begins with the righteous, as it is written: [lit.,] "and the 'sheaves' have

been consumed." It is not written: "and the sheaves *will be* consumed," but "*have been* consumed" — They have been consumed *already* [i.e., even before the thorns] (*Ibid.* 60a).<sup>59</sup>

If fire go out, etc. - "If fire go out ... then pay shall he pay, he that lights the fire" — The Holy One Blessed be He says: I must pay for the fire that I have lit. I kindled a fire in Zion, as it is written (*Eichah* 4:11): "and He kindled a fire in Zion, and it consumed its foundations"; and I am destined to rebuild it in fire, as it is written (*Zechariah* 2:9): "And I will be to it [Jerusalem] a wall of fire roundabout; and Glory shall I be in her midst" (*Ibid.* 60b).<sup>60</sup>

and find thorns, and there be consumed sheaves - Rava said: Why must both "thorns" and "sheaves" be written? They are both necessary; for if "thorns" [alone] were written, I would say that there is liability for thorns because they are frequently burned, so that it is very likely that this fire was intentional — as opposed to sheaves; and if "sheaves" [alone] were written, I would say that there is liability for sheaves because the loss is [relatively] great, but, with thorns, where the loss is small, I would say that there is no liability. I must, therefore, be informed otherwise (*Ibid.* a).<sup>61,62</sup>

or the standing corn or the field - Rava said: Why must both "the standing corn" and "the field" be written? To teach that just as standing corn is in the open, so [there is liability for] all that is in the open [as opposed to what is hidden, where there is no liability for fire-damage]. "the field" — to include [liability for singeing one's furrow and scorching one's stones. Now let Scripture write "the field," and the other ["the standing corn"] would not be needed. It *would* be needed; for if Scripture stated "the field" alone, I would think that [there is liability] only for what is *in* the field [i.e., its produce], but not for anything else [such as the ground itself]. I must, therefore be informed otherwise (*Ibid.*).<sup>63,64</sup>

or the standing corn or the field - What is the intent of: "or the standing corn" — to include all that has stature [such as trees and living things]. What is the intent of: "or the field"? To divide [i.e., He is liable for *either* the corn *or* the field, individually. It is not necessary that both be burned for liability to obtain] (*Ibid.*).<sup>65,66</sup>

**or the field** - If one starts a fire, and it consumes wood, or stones, or earth, he is liable, it being written: "If fire go out, and find thorns, and there be consumed sheaves, or the standing corn, or the field" (*Ibid.* 60a).<sup>67</sup>

**then pay shall he pay, he that lights** - It was taught: The Torah attenuated one's obligation to guard his fire, it being written: "then pay shall he pay, he that lights [lit., "that *makes* to burn"] the fire" [he is not liable until he, as it were, "*makes*" it burn (by gross negligence)] (*Ibid.* 55b).<sup>68</sup>

**then pay shall he pay, he that lights** - If one lights a fire in his property, how far should he remove it [from that of his neighbor]? R. Shimon says: "then pay shall he pay, he that lights the fire" — everything depends upon the size of the fire [i.e., the bigger the fire, the farther he must remove it] (*Ibid.* 61b).<sup>69,70</sup>

22:6 If a man give to his neighbor money or vessels to keep [for him] and it be stolen from the house of the man, if the thief be found, he shall pay double.

**If a man give, etc.** - An unpaid keeper does not swear [to absolve himself in cases of claims involving] servants, bills, and lands. Why so? For it is written: "If a man give" — in general; "money or vessels" — specifically; "to keep" — a reversion to the general. We have, then, an instance of "general-specific-general," in which the ruling follows the nature of the specific. Just as the specific [in this instance] is explicitly something which is movable and of intrinsic monetary value, so, all that is movable and of intrinsic monetary value [is embraced by the ruling]: to exclude land, which is not movable; to exclude servants, which are likened to land; and to exclude bills, which are not of intrinsic monetary value [but only corroborative documents] (*Bava Metzia* 57b).<sup>71-73</sup>

**If a man give** - Oaths are not administered for the claims of deaf-mutes, imbeciles, and minors. Why so? For it is written: "If a man give"; and the "giving" of a minor is insubstantial (*Shevuoth* 42a).<sup>74</sup>

**If a man give** - R. Huna said: All agree that the "giving" of a minor is insubstantial, it being written: "If a *man* give" — the giving of a *man* is

a giving, and not that of a minor. And he does not even acquire for himself [what is given him by another], it being written: "a man to his neighbor" — [He does not acquire] until he be as "his neighbor" [i.e., also a man] (*Yerushalmi Gittin* 5:9).<sup>75</sup>

**a man to his neighbor** - "a man" — to exclude a minor. And this tells me [that such is the *halachah*] only if he gives when he is a minor and claims when he is a minor. Whence do I derive [that the same applies if] he gives as a minor and claims as an adult? From: "his neighbor" — his giving and his claiming must be alike (*Yerushalmi Shevuoth* 6:5).<sup>76</sup>

**to his neighbor** - An unpaid keeper does not swear [in claims involving] consecrated objects. Whence is this derived? From: "his neighbor" — and not [what appertains to] the Temple (*Shevuoth* 42a).<sup>77</sup>

**money or vessels** - For the judges to administer an oath, there must be a [minimum] claim of two *ma'ah* of silver and a [minimum] acknowledgement of [indebtedness of] the value of a *perutah*, it being written: "money [lit., "silver"] or vessels" — money similar to vessels. Just as "vessels" is [a minimum of] two, so "silver" must be two (*Ibid.* 39a).<sup>78,79</sup>

**money or vessels** - vessels similar to money. Just as money is substantial, so [a claim of] vessels must be substantial [i.e., of a minimum value of two *perutoth*] (*Ibid.* b).<sup>80</sup>

**money or vessels** - vessels similar to money. Just as money is countable, so vessels [to come under the provisions of this *halachah*] must be countable — whence it is derived: Any claim which is not expressible in measure, weight, or count is not a claim (*Ibid.*).<sup>81</sup>

**money or vessels** - This tells me only of money or vessels. Whence do I derive all things [as included in the *halachah*]? From: "to keep" — anything requiring "keeping" (*Ibid.*).<sup>82</sup>

**or vessels** - R. Anan said in the name of Shmuel: If he claimed two needles and the keeper admitted one, he is obliged [to take the oath]. It is for this reason that "vessels" received special mention, [requiring an oath] whatever their value (*Shevuoth* 40b).<sup>83</sup>

**or vessels** - It was taught: R. Nathan says: "*or vessels*" — to include

clay vessels [in the *halachah*, though they are of little value] (*Yerushalmi Shevuoth* 6:1).<sup>84</sup>

to keep - “to *keep*,” and not to destroy or to tear [i.e., The keeper is liable only if it were made clear that he was “to *keep*, etc.”]; “to *keep*,” and not to distribute to the poor. [So that if he lost money that he was given to distribute to the poor, he is not liable] (*Bava Kamma* 93a).<sup>85,86</sup>

to keep - “to *keep*,” and not to give as a gift. R. Yossi said: This [exemption from liability] is on condition that he told him to give it to whomever he wished. But if he told him to give it to a specific individual, since he must keep it for him, the “keeping” is incumbent upon him (*Yerushalmi Shevuoth* 8:1).<sup>87</sup>

to keep - He must be explicitly told: “Keep [i.e., “Watch”] this for me”; but if he were only told: “Keep an eye on it,” he is not liable (*Mechilta*).<sup>88</sup>

and it be stolen from the house - “from the house of the man” — and not from the top of his roof (*Yerushalmi Shevuoth* 8:1).<sup>89</sup>

and it be stolen from the house of the man - “from the house of the man,” and not from the house of the thief — whence we derive that one who steals from the thief does not pay *kefel* (*Bava Kamma* 69b).<sup>90</sup>

and it be stolen from the house of the man - “from the house of the man,” and not from the house of consecration [i.e., the Temple] — whence it is derived that one who steals a consecrated object from the house of the owner [who consecrated it] does not pay *kefel* (*Ibid.* 76a).<sup>91</sup>

and it be stolen from the house of the man - [The *kefel* reverts to the keeper if the object is stolen] “from the house of the man” [i.e., the keeper], and not from the house of a borrower, [in which instance the *kefel* reverts to the owner] (*Yerushalmi Shevuoth* 8:1).<sup>92</sup>

if the thief be found - The Rabbis taught: “if the thief be found” — Scripture is speaking of “the thief himself” [i.e., someone other than the keeper]. But perhaps it is speaking of the keeper, who *claims* that it was stolen [and later was found to be the thief himself]! [This cannot be, for] (7): “If the thief not be found” speaks of the keeper’s claiming that it was stolen (*Bava Kamma* 63b).<sup>93</sup>

22:7 If the thief not be found, then the master of the house shall draw near to the judges if he has not sent his hand against the deposit of his neighbor.

**If the thief not be found** - The Rabbis taught: "If the thief not be found..." — Scripture here speaks of a keeper who claims that it was stolen, the verse being understood as follows: "If it not be found as he said [i.e., that it was stolen from him], but he himself stole it ... then he shall pay double" (*Ibid.*).<sup>94</sup>

**If the thief not be found** - R. Chiyya b. Abba said in the name of R. Yochanan: If a keeper [falsely] claims that the deposit was stolen [he himself having stolen it], he pays double; and if he slaughtered and sold it, he pays "four and five." [Why so? For we liken: "If the thief not be found" to "If the thief be found" (the provisions of the latter applying to the former)] (*Ibid.* 106b).<sup>95,96</sup>

**If the thief not be found** - I might think that if the thief were found but could not pay, the owner could say to the keeper: "Swear that you did not presume to steal it" [i.e., that you did not abuse it (in which instance the keeper would have to pay the owner)]; it is, therefore, written: "If the thief not be found," the implication being that if he is found, the keeper is exempt (*Yerushalmi Shevuoth* 8:1).<sup>97</sup>

**the thief** - What is the intent of "the thief" [there being no thief in reality]? To exclude the keeper's claiming that it was lost, in which instance he does not pay *kefel* (*Ibid.* 63b).<sup>98</sup>

**then the master of the house shall draw near** - He shall draw near to take an oath. But perhaps the intent is [that he draw near] to be judged! [This is not so, for] it is written here: ["if he has not sent his hand," and, further (10): "The oath of the L-rd shall be between both of them if he has not sent his hand"]. Just as there, an oath [is indicated], so, here, an oath [is intended] (*Ibid.*).<sup>99,100</sup>

**to the judges** - Monetary litigations are presided over by three judges. Whence is this derived? The Rabbis taught: "then the master of the house shall draw near to the judges" — one; (8): "unto the judges shall come the word of both" — two; (*Ibid.*): "whom the judges incriminate" — three (*Sanhedrin* 3b).<sup>101</sup>

to the judges [elohim] - From here it is seen that “*elohim*” is a term for “judges” (*Ibid.* 56b).<sup>102</sup>

to the judges [elohim] - I might think that [by “*elohim*”] the *urim vethumim* [worn on the breast-plate of the high-priest] were intended [they, too, being referred to as “*elohim*” (see I *Samuel* 22:15)]; it is, therefore, written (8): “whom *elohim* incriminate” — *elohim* who incriminate [i.e., judges] are intended (*Mechilta*).<sup>103</sup>

if he did not send his hand - R. Shesheth said: If a keeper who claimed that the deposit had been stolen had “sent his hand against it” [i.e., abused it (before he took the oath)], he is exempt [from *kefel*]. Why so? For it is written: “then the master of the house shall draw near to the judges if he has not sent his hand against the deposit,” the implication being that if he did “send his hand,” he is exempt (*Bava Kamma* 107b).<sup>104, 105</sup>

if he did not send his hand - If one thinks of abusing a deposit, he is not liable [for mishaps subsequently befalling it] unless he actually does so, as it is written: “if he did not send his hand” [Only the actual sending of his hand creates liability] (*Bava Metzia* 43b).<sup>106</sup>

22:8 For every thing of violation: for an ox, for an ass, for a lamb, for a garment, for every lost object about which he will say that it is this — unto the judges shall come the word of both. Whom the judges incriminate shall pay double to his neighbor.

For every thing of violation - “every” implies extension of inclusion. [In this instance] it teaches us that *kefel* obtains with *every* thing, whether animate or inanimate (*Bava Kamma* 63a).<sup>107</sup>

For every thing of violation - This tells me only of his own violation. Whence do I derive [that he is liable] if he tells his servant or his messenger to abuse the deposit? From: “For every thing of violation” (*Bava Metzia* 42a).<sup>108</sup>

for an ox, etc. - Oxen, all other beasts, and animals and birds are included in the category of *kefel*, it being written: “For *every* thing of violation” — every thing which he violates. If so, why are “ox” and

“ass” singled out? Scripture speaks of the common instance (*Bava Kamma* 54b).<sup>109</sup>

for an ox, etc. - Now if *kefel* obtains with all things, why are these specific things mentioned? One, to exclude lands; one, to exclude servants; one, to exclude bills; “a garment,” to exclude something which is not identifiable [as the owner’s] as not being subsumed in the laws of *kefel* (*Ibid.* 63a).<sup>110,111</sup>

for every lost object about which he will say - R. Chiyya b. Abba said in the name of R. Yochanan: If one [falsely] claims that a lost object [which he found] was stolen from him, he pays *kefel*. Whence is this derived? From: “for every lost object about which he will say” (*Ibid.* 106b).<sup>112</sup>

that it is this [i.e., “This is what I owe you”] - From here it is derived that the defendant’s admission is equivalent to a hundred witnesses (*Rashi* on *Kiddushin* 65b).<sup>113</sup>

that it is this - R. Chiyya b. Yosef said: There is an “intermixture” of themes here. “that it is this” refers to [admission of indebtedness for] a loan [whereas the theme here is a keeper’s claim that a deposit has been stolen] (*Bava Kamma* 107a).<sup>114</sup>

that it is this - [This teaches us that the admission (in order to create liability) must be of the nature of the claim (i.e., If the claim is wheat, and he admits barley, he is not even liable for barley)] (*Bava Metzia* 8a).<sup>115</sup>

unto the judges [elohim] - From here we derive that wherever “*Elokim*” is mentioned [as opposed to “*Hashem*”], it is the attribute of justice which is signified (*Sifrei Vaethchanan*).<sup>116</sup>

unto the judges, etc. - It was taught: Whence is it derived that a judge should not have recourse to defense attorneys [but should hear the defense from the defendant himself]? From: [directly] “unto the judges shall come the word of both” (*Mechilta Mishpatim*).<sup>117</sup>

shall come the word of both - It was taught (6): “If a man give to his neighbor” — to exclude a minor, whose “giving” is insubstantial. And this tells me [that such is the *halachah*] only if he gives when he is a

minor and claims when he is a minor. Whence do I derive [that the same applies if] he gives as a minor and claims as an adult? From: “unto the judges shall come the word of *both*” — his giving and his claiming must be alike (*Bava Kamma* 106b).<sup>118</sup>

**Whom the judges incriminate** - “Whom the judges incriminate” — to exclude one who incriminates himself. [From here it is derived that if one admits (in the absence of witnesses) penalty-liability (*knass*), he is exempt from it] (*Ibid.* 64b).<sup>119</sup>

**he shall pay double to his neighbor** - “to his neighbor,” and not to the Temple; “to his neighbor,” and not to an idolator (*Mechilta*).<sup>120</sup>

22:9 If a man give to his neighbor an ass or an ox or a lamb or any beast to keep [for him], and it die or be broken or seized, no one seeing,

**If a man give, etc.** - These are the things for which a hired keeper does not pay [if they were stolen or lost]: servants, bills, lands, and consecrated property. Whence is this derived? From: “If a man give” — in general; “an ass or an ox or a lamb” — specifically; “or any beast” — reversion to the general. We have here an instance of “general-specific-general,” in which the ruling follows the nature of the specific, viz.: Just as the specific is explicitly something movable and of intrinsic monetary value, so all [to impose liability] must be movable and of intrinsic monetary value: to exclude lands, which are not movable; to exclude servants, which are likened to lands; to exclude bills, which are not of intrinsic monetary value [but only corroborative documents]; consecrated property — [this is excluded by:] “his *neighbor*” (*Bava Metzia* 57b).<sup>121,122</sup>

**an ass or an ox or a lamb** - Just as these are characterized by being subject to: breaking, seizing, dying, *knass* [penalty - payment], and *ona'ah* [redress for fraud], so, all that are subject to these things [impose liability for theft or loss]: to exclude lands, which are not subject to breaking, seizing, or dying; to exclude servants, which are not subject to *knass*; to exclude bills, which are not subject to *ona'ah*. All of these things a hired keeper does not pay for [if they are robbed or lost] (*Yerushalmi Shevuoth* 6:6).<sup>123-125</sup>

**and it die** - “and it die” — at the hands of Heaven; “or be broken” — by a beast; “or seized” — by robbers (*Ibid.*).<sup>126</sup>

**and it die, etc.** - Just as death is characterized by insusceptibility to rescue, so, in all such instances, the hired keeper is exempt from payment (*Ibid.*).<sup>127</sup>

**no one seeing** - It was taught: Issi b. Yehudah says: “no one seeing, the oath of the L-rd shall be between them”; but if someone sees, let him bring his proof [i.e., his witnesses] and exempt himself (*Bava Metzia* 83a).<sup>128</sup>

22:10 The oath of the L-rd shall be between the two of them if he did not send his hand against the deposit of his neighbor; and its master shall take it, and he shall not pay.

The oath of the L-rd [Hashem (written “*Yod-Keh-Vav-Keh*”)] - with “*Yod-Keh*.” This is the prototype for all oaths in the Torah being taken with “*Yod-Keh*” [the Tetragrammaton] (*Mechilta*).<sup>129</sup>

**between the two of them** - R. Ammi taught: “The oath of the L-rd shall be between the two of them” — and not between the heirs. What would be an instance of the latter? One’s being told: “Your father owed my father one hundred,” and responding: “I know of fifty, but no more” [in which instance an oath is not imposed upon him] (*Shevuoth* 47a).<sup>130</sup>

**between the two of them** - It was taught: Shimon b. Tarfon says: “The oath of the L-rd shall be between the two of them” — This teaches us that [responsibility for having necessitated so awesome a thing as] an oath [in the name of the L-rd] rests upon both (*Ibid.* b).<sup>131</sup>

**between the two of them** - to exclude one who is suspect vis à vis oaths [i.e., If he is so suspect (to swear falsely), he is not permitted to take the oath] (*Mechilta*).<sup>132</sup>

**between the two of them** - [i.e., Only the claimant can impose the oath on the keeper] and the judge need not make him swear [if the claimant does not desire it] (*Ibid.*).<sup>133</sup>

**between the two of them** - “between the two of *them*,” and not a

married woman [who, lacking independent means, cannot make payment if her oath proves false] (Hagaoth Maimoni, Claims 5, according to R. Hai Gaon).<sup>134</sup>

if he did not send his hand - "sending of hand" is mentioned here [in respect to a paid keeper], and above (7) [in respect to an unpaid keeper.] Just as there, the criteria of [the keeper's drawing near to] *beth-din*, [abusing the deposit] for his own needs, and (8) "for every thing of violation," obtain; here, too, they obtain (*Mechilta*).<sup>135</sup>

and its master shall take it and he shall not pay - All who swear by mandate of the Torah, swear [that they owe nothing] and they do not pay. Whence is this derived? From: "and its master shall take it and he shall not pay" — He who is being asked to pay, [and not the claimant,] takes the oath (*Shevuoth* 45a).<sup>136</sup>

and its master shall take it and he shall not pay - From here ["and its master shall take it (i.e., the carcass)"] it is derived that the owner appropriates the carcass [in partial payment of what he is owed] (*Mechilta*).<sup>137</sup>

and its master shall take it and he shall not pay - This teaches us that oaths are imposed only for monetary claims (Responsa of the Rambam 75).<sup>138</sup>

22:11 And if stolen it shall be stolen from him, he shall pay to its owner.

And if stolen it shall be stolen - This tells me only of theft. Whence do I derive [liability for] loss? From: "If stolen it shall be stolen" — in any event [i.e., any manner of loss] (*Mechilta*).<sup>139</sup>

from him - to exclude [liability for the keeper if he, in turn, gave it to] a young shepherd [from whom it was stolen], and to include [such liability for] a grown shepherd [whom he hired as a keeper] (*Ibid.*).<sup>140</sup>

22:12 If it is torn, he shall bring the carcass; the torn beast he shall not pay.

**he shall bring the carcass** - It was taught: Abba Shaul says: He [i.e., the one responsible for the damage (the *mazzik*)] shall bring the carcass to *beth-din* [to be assessed] (*Bava Kamma* 11a).<sup>141</sup>

**the torn beast he shall not pay** - The Rabbis taught: "payment of [lit., "completion of"] the damage." This teaches us that the owner appropriates the carcass [in partial payment (i.e., "to complete") the total sum]. Whence is this derived? R. Cahana said: From: "If it is torn, he shall bring *ed* [which can also be read "*ad*" ("until")]; the torn beast he shall not pay" — *until* [i.e., up to the sum of] the carcass he pays; the carcass itself [i.e., the value of the carcass itself] he does not pay [but deducts it from the total sum] (*Ibid.* 10b).<sup>142,143</sup>

**22:13 And if a man borrow from his neighbor, and it be broken or die, its owner not being with it, pay he shall pay.**

**And if a man borrow** - The "And" is an addition to the preceding theme, so that what precedes [i.e., theft and loss vis à vis a hired keeper] is derived from what follows [i.e., the status of a borrower]; and what follows is derived from what precedes [to teach that a hired keeper is not liable for theft or loss if the owner is with it (at the time), and that a borrower is, likewise, not liable for theft or loss if the owner is with it] (*Bava Metzia* 95a).<sup>144</sup>

**from his neighbor** - "*from* his neighbor," his neighbor not being with it, "pay he shall pay"; but if his neighbor is with it, he is exempt. Why, then, [if this ruling is derivable from "from his neighbor"] need it be written: "its owner not being with it," and "If its owner is with it" [from which the same ruling is derived]? If not for these, I would say that "from his neighbor" was not hermeneutical in intent, but simply a manner of speaking. [It is only retroactively, after the ruling is clearly derived from the latter verses, that it is seen to be implicit in "from his neighbor"] (*Ibid.* 96a).<sup>145,146</sup>

**from his neighbor** - This teaches us that the borrower is not liable until he takes it out of the lender's domain (*Mechilta*).<sup>147</sup>

**and it be broken or die** - "*or*" to include seizure [by robbers] whence it is derived that a borrower is universally liable [i.e., even for accidents] (*Bava Metzia* 94a).<sup>148</sup>

**and it be broken or die - “or”** — to “divide” [i.e.,] I might think that he is not liable unless it is broken *and* dies; it is, therefore, written [“or,” informing us otherwise] (*Ibid.* b).<sup>149</sup>

**and it be broken or die** - This tells me only of [a borrower’s liability for] breaking and death. Whence do I derive [liability for] theft and loss? It is derived *a fortiori*, viz.: Now if a hired keeper, who is *not* liable for breaking and death, *is* liable for theft and loss, then a borrower, who *is* liable for breaking and death, how much more so should he be liable for theft and loss! (*Ibid.* 95a).<sup>150,151</sup>

**its owner not being with it** - If one borrows a cow, and afterwards borrows or hires its owner [for some work], and it died, he is liable, it being written, “its owner not being with it [i.e., not being engaged with it at the time of borrowing], pay he shall pay” (*Ibid.* 94b).<sup>152</sup>

**its owner not being with it** - It was taught: From (14): “If its owner were with it, he shall not pay,” do I not know that if its owner were *not* with it, he *shall* pay? Why, then, need it be written: “its owner not being with it, pay he shall pay”? To teach that if its owner were [engaged] with it at the time of borrowing, he need not be with it at the time of breaking or death [for the borrower to be exempt from liability]; and [even] if the owner *were* with it at the time of breaking or death, he must have been [engaged] with it at the time of borrowing [for the keeper to be exempt from liability] (*Ibid.* 95b).<sup>153</sup>

22:14 If its owner were with it, he shall not pay. If it were hired, it came by its hire.

**If its owner were with it** - If one borrows a cow, and borrows or hires its owner with it [for some work]; or if he borrows or hires the owner and then borrows the cow, he is exempt [from liability], it being written: “If its owner were with it, he shall not pay” (*Ibid.* 94a).<sup>154</sup>

**If its owner were with it** - [With all of the keepers] any mishap [to the animal] occurring when the owner has been [engaged] with it exempts [the keeper from liability]. Whence is this derived? A verse is expounded [as pertaining also to what comes] before it [in this instance, the theme of the hired keeper], and also to what comes before that [i.e.,

the theme of the unpaid keeper]; so that: "If its owner were with it" applies [not only to a borrower, but] also to an unpaid keeper [and, of course, to a hired keeper] (*Ibid.* 95a).<sup>155</sup>

**If its owner were with it** - It was taught: From (13): "its owner not being with it, pay he shall pay," do I not know that if its owner *were* with it, he shall *not* pay? Why, then, need it be written: "If its owner were with it ..."? To teach that if it leaves the domain of the lender for [even] one moment with the owner [i.e., with the owner's having been engaged with it for some work], the keeper is exempt [from liability] (*Ibid.* b).<sup>156</sup>

**If its owner were with it** - [its owner, and not his messenger (i.e., If he borrows the animal and engages the owner's messenger with it, this does not exempt the borrower from liability)] (*Ibid.* 95a).<sup>157</sup>

**he shall not pay** - He does not pay, and [if it were a hired keeper] he does not swear (*Yerushalmi Shevuoth* 8:1).<sup>158</sup>

**If it were hired** - [A middleman (who is given a beast to sell) has the status of a hired keeper. Whence is this derived? From: "If it were hired, it came by its hire" (i.e., In this instance, since the middleman receives "hire," it is considered to have come to his hands not by borrowing, but by hiring, and his status, therefore, is not one of a borrower, but of a hired keeper)] (*Yerushalmi Bava Bathra* 5:4).<sup>159</sup>

**it came by its hire** - I might think that he [i.e., one who hired a beast] would swear [as an unpaid keeper does] and be exempt [from everything (i.e., not only accident, but even theft and loss)]; it is, therefore, written: "If it were hired, it came by its hire" [i.e., Since he hired it, he derives benefit from having it, and his status is more comparable to that of a hired keeper (who also derives benefit) than to that of an unpaid keeper (who derives no benefit). Therefore, (as the former, and not as the latter), he cannot exempt himself by an oath from theft and loss liability] (*Mechilta*).<sup>160</sup>

22:15 And if a man entice a virgin, who is not betrothed, and lie with her, then he shall take her to himself as a wife.

**And if a man entice a virgin** - “a virgin,” and not one that has been lived with (*Kethuvoth* 38a).<sup>161</sup>

**he shall take her to himself as a wife** - with his consent, and not by force (*Ibid.* 38a).<sup>162</sup>

**he shall take her to himself as a wife** - She must be betrothed with the consent of her father (*Kiddushin* 46a).<sup>163</sup>

**he shall take her to himself as a wife** - whoever *may* be taken as a wife — to exclude a gentile maid-servant, who, since she may not be taken as a wife, does not receive *knass* [the penalty payment] (*Yerushalmi Kethuvoth* 3:1).<sup>164</sup>

**to himself as a wife** - a wife that is permitted to him — to exclude [from marriage, but not from *knass*] a widow to a high-priest; a divorcée and a *chalutzah* [one who had undergone the ceremony dissolving the levirate marriage obligation] to a regular priest; a *mamzereth* [a bastard (halachically)] and a *Nathinah* [a descendant of the Gibeonites] to a *Yisrael* (*Mechilta*).<sup>165</sup>

**22:16 If her father refuse, refuse, to give her to him, then money shall he pay according to the price of the virgins.**

**If her father refuse, refuse** - This tells me only of her father. Whence do I derive that she herself [may refuse]? From: “If refuse, refuse” — either one (*Kethuvoth* 39b).<sup>165\*</sup>

**If her father refuse, refuse** - [to include one who was enticed and afterwards orphaned (of her father) as receiving *knass*, (which she would not receive if she had already been orphaned of her father at the time of the seduction)] (*Ibid.* 44b).<sup>166</sup>

**If her father refuse, refuse** - Chezkiah taught: “If her father refuse, refuse”: This tells me only of her father. Whence do I derive that even if “Heaven” refused [i.e., if she is forbidden to him as a wife by the Torah (e.g., a widow to a high-priest, etc.), she receives *knass*?] From: “If refuse, refuse” — any refusal (*Yerushalmi Kethuvoth* 3:1).<sup>167</sup>

**money shall he pay** - How much? It is written here [in the instance of enticement] “who is not betrothed,” and, in the instance of forcing

(*Deuteronomy* 22:28): “who is not betrothed.” Just as there, it is fifty; here, too, it is fifty (*Mechilta*).<sup>168</sup>

money shall he pay - When? When he refuses to take her as a wife (*Ibid.* 39a).<sup>169</sup>

money shall he pay - It is written here [in the instance of enticement]: “money,” and, in the instance of forcing (*Deuteronomy* 22:28): “money.” Just as there, it is fifty; here, too, it is fifty (*Mechilta*).<sup>170</sup>

according to the price of the virgins - The sages found Scriptural support here for the institution of the *Kethubah* [the marriage contract] (*Kethuvoth* 10a).<sup>171</sup>

according to the price of the virgins - It was taught: “money shall he pay [*yishkol* (similar to “shekel”)] according to the price of the virgins. This [the instance of enticement] shall be as the price of the virgins [in the instance of forcing], and the price of the virgins shall be as this. [Scripture hereby likens forcing to enticement (Just as here, it is *shekalim*, so, there, it is *shekalim*); and enticement to forcing (Just as there, it is fifty, so, here, it is fifty)] (*Ibid.* 29b).<sup>172</sup>

according to the price of the virgins - One who lives with women who are forbidden to him by negative commandment or by cutting-off [*kareth*] pays them *knass*. Why so? Is it not written: [“he shall take her to himself as a wife”] — one whom he *may* take as a wife [the implication being that one whom he may not take as a wife does not receive *knass*]? R. Pappa said [The ruling is derived from the three-fold:] “virgin” (15), “virgins,” “the virgins” [the last two being subsumed in (16): “the virgins”] — one for [the ruling] itself; one, to include [as receiving *knass*] those forbidden by negative commandment; and one, to include those forbidden by *kareth* (*Ibid.*).<sup>173-174</sup>

according to the price of the virgins - Many “virgins” are hereby being included for “the price” [i.e., *knass*], even such as are forbidden to him. [same idea as above] (*Yerushalmi Kethuvoth* 3:1).<sup>175</sup>

according to the price [mohar] of the virgins - R. Yishmael taught: This teaches us that [if he elects to marry her, in which case he does not pay *knass*,] he gives her “mohar,” “mohar” being the “*kethubah*” [the

marriage contract, wherein monetary indebtedness is stipulated], as it is written ( *Genesis* 34:12).: “Impose upon me much *mohar* [indebtedness] and gift” ( *Ibid.* 3).<sup>176</sup>

22:17 A witch, you shall not allow to live.

**A witch** - What is a witch? One who performs an act, and not one that [merely] produces illusions ( *Sanhedrin* 67a).<sup>177</sup>

**A witch [mechashefah]** - The Rabbis taught: “A witch” — either a man or a woman. Why then is it written “*mechashefah*” [feminine]? For most witches are women ( *Ibid.* 67a).<sup>178</sup>

**A witch [mechashefah]** - R. Yochanan said: Why is it [witchcraft] called “*keshafim*”? Because it belies [ *makchishin* (similar to *keshafim*)] the heavenly retinue [i.e., it can countermand what is decreed in heaven] ( *Ibid.* b).<sup>179</sup>

**you shall not allow to live** - What is the manner of execution? R. Akiva said: It is written here: “You shall not allow to live,” and, elsewhere ( *Exodus* 19:13): “whether animal or man, he shall not live.” Just as there, stoning [is indicated], here, too, stoning [is understood] ( *Ibid.* a).<sup>180</sup>

22:18 Anyone who lies with a beast shall be put to death.

**Anyone who lies** - [Why mention this? Is it not written ( *Leviticus* 20:15): “And a man who gives his lying to a beast shall be put to death”?] If the verse is not needed for [the *halachah* of] the active participant, understand it as applying to the passive one. If so, why is “lies” [connoting active lying] used? To liken the passive participant to the active one. Just as with the active one, he and the beast are tried by twenty-three judges, so, with the passive one ( *Ibid.* 15a).<sup>181</sup>

22:19 One who slaughters to [foreign] gods shall be killed; only to the L-rd Himself.

**One who slaughters** - This tells me only of one who slaughters. Whence

do I derive [the same *halachah*] for one who smokes incense or pours libations? From: “only to the L-rd Himself” — Devote all forms of worship to the L-rd alone. I might think that also included are embracing, kissing, and shodding; it is, therefore, written: “slaughters.” Just as slaughtering is an inner service [i.e., the type that is performed within the sanctuary] and [which, if performed for idolatry,] is punishable by death, so, all that are inner services are, likewise, punishable by death [and not embracing, kissing, etc.] (*Ibid.* 60b).<sup>182,183</sup>

**One who slaughters** - The Rabbis taught: If it were written [only]: “One who slaughters” [without “to gods”], I would say that the verse refers to one who slaughters consecrated animals outside the Temple precincts; it is, therefore, written: “to gods,” indicating that the verse refers to idolatry (*Ibid.*).<sup>184</sup>

**One who slaughters to gods shall be killed** - One who sees a spot where they “defecate” [i.e., “slaughter”] to idolatry should say: “One who slaughters to gods shall be killed” (*Yerushalmi Berachoth* 9:1).<sup>185</sup>

**only to the L-rd Himself** - It was taught: One who joins the Name of the L-rd with that of another is uprooted from the world, it being written: “only to the L-rd Himself” (*Sanhedrin* 63a).<sup>186</sup>

**only to the L-rd Himself** - R. Avahu said in the name of R. Yochanan: Whence is it derived that if one slaughters a blemished beast to idolatry he is exempt [from the death penalty]? From: “One who slaughters to gods shall be killed; only to the L-rd Himself” — the Torah forbade [in respect to the death penalty] only such services as obtained within [the sanctuary; and blemished beasts were not sacrificed there] (*Avodah Zarah* 51a).<sup>187</sup>

**22:20 And a stranger [i.e., a convert] you shall not afflict, and you shall not oppress him, for you were strangers in the land of Egypt.**

**And a stranger you shall not afflict** - [even *verbal* affliction] Do not say to him: “Remember your past deeds,” or “Remember the deeds of your ancestors” [*Bava Metzia* 58b].<sup>188</sup>

**And a stranger you shall not afflict** - It was taught: R. Eliezer Hagadol

says: Why did the Torah exhort against abuse of the proselyte in thirty-three (some say: forty-three) places in the Torah? Because he is [temperamentally] inclined to evil [and arousal of this temperament is to be avoided] (*Ibid.* 59b).<sup>189</sup>

**And a stranger you shall not afflict** - The Rabbis taught: One who afflicts a proselyte transgresses three negative commandments: "And a stranger you shall not afflict"; (*Leviticus* 19:33): "And if there live with you a stranger in your land, you shall not afflict him"; (*Ibid.* 25:17): "And a man shall not afflict his fellow" — and a proselyte is in the class of "his fellow" (*Ibid.*).<sup>190</sup>

**and you shall not oppress him** - The Rabbis taught: One who oppresses a proselyte transgresses three negative commandments: "and you shall not oppress him"; (23:9): "And a stranger you shall not oppress"; (22:24): "Do not be to him as a creditor" — and a proselyte is subsumed herein (*Ibid.*).<sup>191</sup>

**for you were strangers** - It was taught: R. Nathan says: "And a stranger you shall not afflict, and you shall not oppress him, for you were strangers in the land of Egypt" — Do not attribute a blemish of your own to your neighbor [i.e., Do not taunt him with being a stranger] (*Ibid.*).<sup>192</sup>

22:21 Every widow and orphan you shall not afflict.

**Every widow and orphan** - It was taught: R. Akiva says: "widow and orphan" [are mentioned specifically, even though it is forbidden to afflict anyone] because they are particularly vulnerable; and Scripture speaks of the common instance (*Mechilta*).<sup>193</sup>

22:22 If afflict, you afflict him, he need but cry to Me, and I will hear, hear, his cry.

**If afflict, you afflict** - Both lesser or greater affliction. Another interpretation: "If afflict, you afflict" — There is no liability unless the affliction is repeated (*Ibid.*).<sup>194</sup>

**he need but cry out to Me** - One might think that if he does not cry out,

"I do not hear" [i.e., I remain insensitive to his plight]; it is, therefore, written: I will hear, hear." Why, then, is it written: "he need but cry out"? I am quicker to exact punishment if he cries out than if he does not (*Ibid.*).<sup>195</sup>

**22:23** And My wrath shall burn, and I shall kill you by the sword, and your wives will be widows, and your children, orphans.

**And My wrath shall burn** - R. Yishmael says: Burning of wrath is mentioned here, and, elsewhere (*Deuteronomy* 11:17): "And the wrath of the L-rd shall burn." Just as there, withholding of rain and exile are indicated; here, too, withholding of rain and exile [are understood] (*Ibid.*).<sup>196</sup>

**and your wives will be, etc.** - It was taught: R. Eliezer says: From: "and I shall kill you," do I not know that their wives will be widows and their children, orphans? [Why, then, need this be mentioned?] To teach that their wives will desire to remarry and their children to succeed to their father's estate — in vain (*Bava Metzia* 38b).<sup>197</sup>

**22:24** If money you lend My people, the poor man with you, do not be to him as a creditor; do not impose interest upon him.

**If money you lend** - It was taught: R. Yishmael says: "If money you lend" — This ["If money, etc."] is mandatory, [as it *may* be in Hebrew]. But perhaps it is optional! [This is not so, for] (*Deuteronomy* 15:8): "and lend you shall lend" indicates that it is mandatory and not optional (*Mechilta*).<sup>198</sup>

**If money you lend** - ["If *money* you lend" connotes that] money for money [i.e., giving money to receive money] is considered "lending" [relative to the laws of interest], and not fruit for fruit (*Ibid.*).<sup>199</sup>

**My people, etc.** - R. Yosef taught: "If money you lend My people, the poor man with you": "My people" and gentiles — "My people" come first [for the granting of a loan]; a poor man and a rich man — the poor

man comes first; your poor [i.e., those of your family] and the poor of your city — your poor come first; the poor of your city and the poor of a different city — the poor of your city come first (*Bava Metzia* 71a).<sup>200</sup>

**do not be to him as a creditor** - When R. Dimmi came, he said: Whence is it derived that if one lends his friend a *maneh* and he knows that he cannot pay it, that he is forbidden to pass in front of him? From: “Do not be to him as a creditor” [i.e., Do not even let him get the impression that you are “hinting” at the money] (*Ibid.* 75b).<sup>201</sup>

**do not impose interest upon him** - It was taught: Both the borrower, the guarantor, the witnesses, and the scribe are subsumed in this negative commandment (*Ibid.*).<sup>202</sup>

22:25 If seize, you seize [as a pledge] the garment of your neighbor, before the sun goes down you shall return it to him.

**If seize, you seize** - This tells me only of one’s taking a pledge by authority of *beth-din*. Whence do I derive [the same *halachah*] for one’s taking a pledge without the authority of *beth-din*? From: “If seize, you seize” — in any event (*Ibid.* 31b).<sup>203</sup>

**If seize you seize** - Scripture here speaks of a deputy of *beth-din*. But perhaps the lender himself is being referred to! [This cannot be, for] (*Deuteronomy* 24:10): “You shall not come to his house to claim his pledge” already speaks of the lender. How, then, is “If seize you seize” to be understood? As referring to a deputy of *beth-din* (*Ibid.* 113b).<sup>204</sup>

**If seize you seize** - It was taught: R. Yishmael says: Scripture comes to teach you to perform the *mitzvah* [of lending] — and take what is yours (*Mechilta*).<sup>205</sup>

**before the sun goes down** - R. Shizvi taught in the presence of Rava: “before the sun goes down you shall return it to him” — this refers to a garment worn by day; (*Deuteronomy* 24:13): “when the sun goes down you shall return it to him” — this refers to a night-covering (*Bava Metzia* 114b).<sup>206</sup>

22:26 For it is his solitary covering; it is his garment for his skin; on what shall he lie? And it shall be, if he cries out to Me, I shall hear; for I am gracious.

For it is his covering - "For it is his solitary covering" — this is his cloak; "it is his garment for his skin" — this is his undergarment; "on what shall he lie" — this is [i.e., refers to] his mat-skin (*Mechilta*).<sup>207</sup>

For it is his solitary covering - R. Nathan says: If one left *beth-din* owing his neighbor money and wearing a garment worth two hundred, the latter should not say to him: "Sell your garment for two hundred, cover yourself with one of one hundred, and give me the hundred [that you owe me]". This is the intent of: "For it is his solitary covering" — you are not permitted to deprive him of a garment which is "familiar" to his body (*Ibid.*).<sup>208</sup>

for I am gracious - What is the intent of: "for I am gracious"? I created My world with mercy (*Mechilta*).<sup>209</sup>

22:27 *Elohim* you shall not revile, and a prince in your people you shall not curse.

*Elohim* you shall not revile - It was taught: [The word is understood as] "*Elohim*" — profane [i.e., judges]. R. Akiva says: "*Elokim*" — sacred [i.e., the L-rd]. And it was taught: R. Eliezer b. Yaakov says: Whence is derived the exhortation against blaspheming the L-rd? From: "*Elokim* you shall not revile" (*Sanhedrin* 66a).<sup>210,211</sup>

*Elohim* you shall not revile - If one's father were a judge, and he cursed him, he is [also, in addition to the sin of cursing one's father,] in transgression of: "*Elohim* you shall not revile" (*Ibid.*).<sup>212</sup>

*Elohim* you shall not revile - This tells me only of a judge. Whence do I derive a prince [for inclusion in the *halachah*]? From: "and a prince in your people you shall not curse" (*Mechilta*).<sup>213</sup>

and a prince in your people - when he deports himself as one of "your people," [to exclude one who is wicked] (*Yevamoth* 22b).<sup>214</sup>

and a prince in your people - If one's father were a prince, and he cursed

him, he is [also, in addition to the sin of cursing one's father,] in transgression of: "and a prince in your people you shall not curse" (*Sanhedrin* 66a).<sup>212\*</sup>

**and a prince in your people** - "established" in your people [to exclude one who has been sentenced to death] (*Ibid.* 85a).<sup>215</sup>

**and a prince in your people** - This tells me only of a judge and a prince. Whence do I derive all men [for inclusion in the *halachah*]? From: "in your people you shall not curse" (*Mechilta*).<sup>216</sup>

**you shall not curse** - Let it be written: "Elohim and a prince you shall not curse." Why state [separately]: "you shall not revile," and: "you shall not curse"? To impose liability for each individually (*Ibid.*).<sup>217</sup>

22:28 Your *mele'ah* and your *dema* you shall not delay. The first-born of your sons you shall give to Me.

**Your mele'ah and your dema** - "Your *mele'ah*" — these are *bikkurim* [the first-fruits]; "and your *dema*" — this is *terumah* (*Temurah* 4a).<sup>218</sup>

**you shall not delay** - One who gives *terumah* before *bikkurim*; *ma'aser rishon* before *terumah*, or *ma'aser sheni* before *ma'aser rishon* transgresses the negative commandment: "Your *mele'ah* and your *dema* you shall not delay" (*Terumoth* 3:6).<sup>219</sup>

22:29 So shall you do to your ox and to your sheep. Seven days shall it be with its mother, and on the eighth day shall you give it to me.

**So shall you do to your ox** - A Yisrael must care for the first-born of his beasts [before giving them to the priest]; for a small beast, thirty days, and for a large beast, fifty. Whence is this derived? From: "The first-born of your sons shall you give to Me. So shall you do to your ox and to your sheep." Scripture adds another "doing" [i.e., caring,] for your ox (*Bechoroth* 27b).<sup>220</sup>

**So shall you do to your ox** - If one buys or receives as a gift [lambs born in that year] he is exempt from the *ma'aser* of beasts, it being written: "The first-born of your sons shall you give to me. So shall you do to

your ox and to your sheep." Just as "your sons" are not bought or received as a gift, so [*ma'aser* of beasts] does not apply to those that are bought or received as a gift (*Ibid.* 56a).<sup>221,222</sup>

**So shall you do to your ox** - R. Assi said in the name of R. Yochanan: If one bought ten fetuses in their mothers' stomachs, they all [when they are born] enter the pen to be tithed. Whence is this derived? From: "So shall you *do* to your ox" — It is only at the time of *doing* [i.e., when the *mitzvah* of *ma'aser* can be performed] that the Torah excludes [from the obligation of *ma'aser* an animal that is bought; but the *mitzvah* of *ma'aser* does not apply to a fetus, and when it is born, it is already in his domain for the *mitzvah* of *ma'aser*](*Ibid.*).<sup>223</sup>

**So shall you do to your ox** - Just as you are permitted to redeem the first-born of a *human-being* through any priest, wherever you desire, so you are permitted to redeem the first-born of a *beast* through any priest, wherever you desire (*Mechilta*).<sup>224</sup>

**shall it be with its mother** - I might think that [to be fit for a sacrifice] it must be with its mother all seven days; it is, therefore, written (*Leviticus* 22:27): "And it shall be seven days under [i.e., in place of] its mother" [but not necessarily "*with*" its mother]. If so, I might think that even if it were delivered after the mother's death [it is still acceptable]; it is, therefore, written: "*with* its mother." How is this to be reconciled? Even if its mother survived one instant [after its birth, it is acceptable] (*Torath Cohanim, Emor*).<sup>225</sup>

**on the eighth day** - This tells me [that it is acceptable] only on the eighth day itself. Whence do I derive [that it is acceptable] from the eighth day onward? From (*Leviticus* 22:27): "and from the eighth day onward." Just as there, it is acceptable as an offering from the eighth day onward, here, too, it is acceptable as an offering from the eighth day onward (*Mechilta*).<sup>226</sup>

**you shall give it to Me** - It was taught: If one sacrificed an animal before its time [i.e., before it was eight days old], he does not receive stripes. Why not? For Scripture phrases the interdiction [of premature sacrifice] as a positive commandment [i.e., "on the eighth day shall you give it to Me": and it is only for transgression of an explicit negative commandment that stripes are administered] (*Chullin* 81a).<sup>227</sup>

22:30 And people of holiness shall you be to Me. And flesh in the field, torn, you shall not eat; to the dog shall you throw it.

**And people of holiness** - It was taught: Issi b. Yehudah says: When the Holy One Blessed be He originates a *mitzvah* for Israel, He adds holiness to them (*Mechilta*).<sup>228</sup>

**shall you be to Me** - What is the intent of "shall you be to Me"? R. Yishmael says: "When you are holy, you are Mine" (*Ibid.*).<sup>229</sup>

**And flesh in the field, torn** - It was taught: Consecrated flesh which left the Temple precincts becomes unfit, it being written: "And flesh in the field, torn, you shall not eat," [the implication being] once flesh has left its [proper] precincts, it is forbidden (*Zevachim* 82b).<sup>230</sup>

**And flesh in the field, torn** - This teaches us that an animal endangered [by illness] is permitted. For if you assume that it is forbidden, why does Scripture write: "torn" [i.e., organically defective]? If an endangered animal, which is not defective, is forbidden, how much more so, a torn one! (*Chullin* 37a).<sup>231</sup>

**And flesh in the field, torn [treifah]** - R. Cahana said: If the animal's lung looks like liver, it is kosher; if like flesh, it is *treifah*. A mnemonic for this is: "And *flesh* in the field, *treifah*" (*Ibid.* 47b).<sup>232</sup>

**And flesh in the field, treifah** - If an animal had difficulty giving birth, and the fetus extruded a limb and then retracted it, even though [after slaughtering] the fetus may be eaten, the limb itself is forbidden. Why so? For it is written: "And flesh in the field, *treifah*, you shall not eat" — Once it has left its precincts, it is forbidden (*Ibid.* 68a).<sup>233, 234</sup>

**And flesh in the field, treifah** - What is the intent of this? Because we find in the case of *ma'aser sheni* and *bikkurim* that even if they leave their [proper] precincts, if they return they are permitted, I might think that this [the above case of the extruded and retracted limb], too, is so; it is, therefore, written: "*treifah*." Just as an animal, once it has become *treifah*, cannot be permitted, so, flesh, once it has left its precincts, cannot be permitted (*Ibid.* 73b).<sup>235-238</sup>

**And flesh in the field, treifah** - It was taught: "And flesh in the field,

*treifah*, you shall not eat” — to include as forbidden a limb or flesh dangling from a beast, an animal, or a bird, which he slaughtered (*Ibid.*).<sup>239</sup>

**And flesh in the field, *treifah*** - R. Yochanan said: “And flesh in the field, *treifah*, you shall not eat” — This refers to both flesh torn from a living animal and flesh from a *treifah* (*Ibid.* 102b).<sup>240</sup>

**And flesh in the field, *treifah*** - It was taught: R. Eliezer b. Yaakov says: “And flesh in the field, *treifah*, you shall not eat” — Do not tear and eat from a [living] beast as you tear and eat from the ground (*Yerushalmi Nazir* 6:1).<sup>241</sup>

**And flesh in the field, *treifah*** - This tells me only of the field. Whence do I derive [that a *treifah* is forbidden also] in the house? From [the frequent juxtaposition of] “*neveilah*” [carrion, an animal that has died of itself] and “*treifah*.” Just as *neveilah* [is forbidden] both in the field and in the house, so, *treifah*, both in the field and in the house. If so, why is “field” mentioned? Scripture speaks of the common instance (*Mechilta*).<sup>242,243</sup>

**to the dog shall you throw it** - A butcher who used to feed *neveilo*th and *treifo*th to Jews once drank [too much] wine on Sabbath eve, went up to the roof, and died — whereupon the dogs started lapping his blood. They asked R. Chanina: “Is it permitted to take his body away from them [on the Sabbath]?” He answered: “Leave him to them; they are eating of their own. It is written: ‘And flesh in the field, *treifah*, you shall not eat; to the dog shall you throw it’ — and this one [the butcher] robbed from them [the dogs] and fed it to the Jews!” (*Yerushalmi Terumoth* 8:3).<sup>244</sup>

**to the dog shall you throw it** - Why to the dog? To teach that the Holy One Blessed be He does not withhold the reward of any creature. It is written (11:7): “But against all the children of Israel [during the exodus] a dog did not unleash its tongue.” The Holy One Blessed be He says: “Give it its reward!” (*Mechilta*).<sup>245</sup>

**shall you throw it** - [What is the intent of “it”?] “*It*” you [may] throw to the dog, but you may not throw to the dog all of the other forbidden things of the Torah [such as *chametz* on Pesach (in respect to which “You shall not eat” is written, not only eating being forbidden, but even

the benefit of feeding it to animals)]. These are the words of R. Yehudah (*Pesachim* 22a).<sup>246</sup>

**shall you throw it** - [What is the intent of “it”]? “*It*” you [may] throw to the dog, but you may not throw to the dog meat of a non-consecrated animal that was slaughtered in the *azarah* [the Temple court]. These are the words of R. Meir (*Ibid.*).<sup>247</sup>

**23:1 Do not receive a false report. Do not place your hand with an evildoer to be a false witness.**

**Do not receive a false report** - R. Shesheth said in the name of R. Elazar b. Azaryah: All who bear an evil report, and all who accept an evil report, and all who testify falsely against their neighbor are fit to be thrown to the dogs, it being written: “to the dog shall you throw him,” followed by: “Do not receive a false report,” which may also be read as: “*Do not spread*” (*Pesachim* 118a).<sup>1</sup>

**Do not receive a false report** - R. Cahana said: It is written: “*Do not receive a false report*,” which may also be read as: “*Do not spread*.” This [the first] is an exhortation to a judge not to hear the words of one litigant before the other arrives, and [the second] an exhortation to a litigant not to plead his case before the judge before his fellow litigant arrives (*Sanhedrin* 7b).<sup>2</sup>

**Do not place your hand with an evildoer** - It was taught: A scheming witness [*ed zomem*] is invalidated retroactively [i.e., once it is discovered that he is an *ed zomem*, all of his testimony in all cases, from the time of his (now known to be) false testimony is invalidated]. Why so? From the time of his [*ed zomem*] testimony he is considered an evildoer, and Scripture states: “Do not place your hand with an evildoer” — Do not make an evildoer a witness (*Bava Kamma* 72b).<sup>3,4</sup>

**Do not place your hand with an evildoer** - [Rava said: “If one says: “That man committed sodomy with me,” either against his (the testifier’s) will or by his consent, he and another combine (to make the necessary two witnesses) to kill him.] And even though if it were by his consent he is an evildoer, and Scripture states: “Do not make an evildoer a witness,” “a man is close to himself” [and, as a “relative,” may not testify against himself], and one is not believed to make himself

an evildoer. [In sum, then, he is saying nothing about himself and testifying against the other] (*Sanhedrin* 27a).<sup>5,6</sup>

**Do not place your hand with an evildoer** - It was taught: If one were a heretic in respect to the eating of carrion, whether to satisfy his appetite or to rebel [against the *mitzvah*], Abbaye said he is unfit [to testify.] Why so? For he is an evildoer, and Scripture states: "Do not make an evildoer a witness" (*Ibid.*).<sup>7</sup>

**Do not place your hand with an evildoer** - It was taught: "Do not make an evildoer a witness," "Do not make a liar a witness" — This refers to thieves, lenders on interest, and falsifiers of oaths (*Ibid.*).<sup>8</sup>

**Do not place your hand with an evildoer** - [What is the intent of this?] [The reference is to an instance in which] one said to him: "That man owes me two hundred dinars, and I have one witness. Come and join him, and you will get one hundred, and I, one hundred." In this respect it is stated: "Do not place your hand with an evildoer" (*Mechilta*).<sup>9,10</sup>

**Do not place your hand with an evildoer** - On this verse the "clean-minded men of Jerusalem" based their practice of not going to a feast until they knew who was going with them and not signing a bill of divorce until they knew who was signing with them (*Ibid.*).<sup>11</sup>

**to be a false witness** - [What is the intent of "a false (lit., "a robbing") witness"? If one's master told him: "You know that I would not lie for all the money in the world, but that man owes me a *maneh* and I have one witness. Come and join him so that I can get what is rightfully mine" — in this respect it is stated: "Do not place your hand with an evildoer to be a robbing witness" — This one is called "a robbing witness" (*Ibid.*).<sup>12</sup>

23:2 Do not be after many for ill, and do not answer upon a quarrel to incline; after many to incline.

**and do not answer upon a quarrel [riv]** - It was taught: A king is not seated in the Sanhedrin, it being written: "And do not answer upon *riv*," [which may also be read as:] "Do not answer [i.e., do not give your verdict in judgment] in the presence of *rav* [a master (in this instance, a king)] (*Sanhedrin* 18b).<sup>13</sup>

**and do not answer upon riv** - Capital cases begin from the side [i.e., The verdict of the lesser judges, those sitting on the side, is requested first, so that the opinion of a greater judge will not be contradicted by that of a lesser one]. Whence is this derived? R. Acha b. Pappa said: "Do not answer upon *riv*" — "Do not answer after *rav*" (*Ibid.* 36a).<sup>14,15</sup>

**and do not answer upon riv** - It was taught: Rebbi says: "and do not answer upon *riv*" — It is written: "*rav*," viz.: Do not answer after the *rav* but before him [same idea as above] (*Yerushalmi Sanhedrin* 4:7).<sup>16</sup>

**and do not answer upon rav [many]** - Do not answer [i.e., do not give your verdict] even upon the basis of a hundred identical opinions [but seek out the truth for yourself] (*Ibid.*).<sup>17</sup>

**and do not answer upon a quarrel** - Whence is it derived that if eleven judges acquit, eleven convict, and one is undecided, he should incline only towards acquittal? From: "and do not answer upon a quarrel" [i.e., (in an instance such as the above) do not render a harsh verdict] (*Mechilta*).<sup>18</sup>

**and do not answer in the presence of rav [the master] to incline** - Do not say: "It is enough for the servant to be as his master," but say what you think (*Tosefta Sanhedrin* 3).<sup>19</sup>

**upon rav [the many] to incline** - Scripture hereby adds an additional judge [i.e., There must be a possibility of an inclination to a majority verdict, and this is possible only with an additional judge to break a split verdict.] [From here it is derived that a *beth-din* cannot have an even number of judges] (*Ibid.*).<sup>20</sup>

**after many to incline** - From: "Do not be after many for ill," I understand that I should be with them for good. Why, then, need I be told: "after many to incline"? [This teaches us that] not as your inclining for good [acquittal] is your inclining for ill [conviction]. Your inclining for good is with [a majority of] one; your inclining for ill requires [a majority of] two (*Sanhedrin* 2a).<sup>21</sup>

**after many to incline** - It was taught: R. Eliezer b. R. Yossi Haglili says: What is the intent of: "to incline after many to incline"? Scripture hereby instructs us to set up an "inclinable" *beth-din* [i.e., an odd-

numbered one, where there must be an inclination to a majority (and no possibility of a split) opinion] (*Ibid.* 3b).<sup>22</sup>

**after many to incline** - This is the source for our following the majority rule (*Chullin* 11a).<sup>23</sup>

**23:3 And a poor man do not favor in his quarrel.**

**And a poor man do not favor in his quarrel** - R. Shimon b. Lakish said: (*Psalms* 82:3): "Grace the afflicted and the poor" — What is the intent of "Grace"? If in judgment, is it not written: "And a poor man do not favor in his quarrel"? The intent must be, then: Be gracious with what is yours [in cases of doubt as to whether it is yours or theirs] and give it to them (*Chullin* 134a).<sup>24</sup>

**And a poor man do not favor in his quarrel** - Why need this be mentioned? Because it is written (*Leviticus* 19:15): "Do not raise up the face of a poor man, and do not favor the face of a great one," I might think that only these [specific forms of favoritism are intended]. Whence do I derive that they are interchangeable? From: "And a poor man do not favor" (*Mechilta*).<sup>25,26</sup>

**23:4 If you encounter the ox of your foe or his ass, wandering, return shall you return it to him.**

**If you encounter** - And afterwards (5) it is written: "If you *see*." What is the [distance for] seeing which constitutes encountering? The sages estimated it as a *ris*, there being seven and a half *ris* to one mile (*Bava Metzia* 33a).<sup>27,28</sup>

**the ox** - Both an ox and all other beasts, and animals, and birds are subsumed in the *mitzvah* of returning lost objects, it being written (*Deuteronomy* 22:3): "And thus shall you do to *all* the lost objects of your brother." Why, then, is "ox" specifically mentioned? Scripture speaks of the common instance (*Bava Kamma* 54b).<sup>29,30</sup>

**or his ass** - What is the intent of: "*or his ass*"? To impose obligation for each [beast] individually (*Mechilta*).<sup>31</sup>

**wandering** - It is not considered “wandering” in all places, but only outside the *tchum* [the town limits]. And though there is no proof for this, it is intimated in (*Genesis* 37:15): “And a man found him, and, behold, he was *wandering* in the *field* (*Ibid.*).<sup>32</sup>

**return shall you return it to him** - “return shall you return it” — even if the distance is great and you do not know him, and even if it is injured (*Ibid.*).<sup>33</sup>

23:5 If you see the ass of your foe lying under its burden, and you would forbear to help him, help shall you help with him.

**If you see the ass** - Both an ass and all other beasts, and animals, and birds are subsumed in the *mitzvah* of unloading, this being derived: “ass” [here] - “ass,” in respect to Sabbath [where all animals are explicitly included]. Why, then, is “ass” specifically mentioned? Scripture speaks of the common instance (*Bava Kamma* 54b).<sup>34,35</sup>

**the ass of your foe** - How is “foe” to be understood? As a foe who is an idolator? But did we not learn: “foe” here refers to a Jew and not to an idolator? But if a Jew, is it permitted to hate a Jew? Is it not written (*Leviticus* 19:17): “Do not hate your brother in your heart”? [We are speaking here of] a Jew in whom he observed indecency [and whom it is, therefore, permitted to hate] (*Pesachim* 113b).<sup>36,37</sup>

**and you would forbear to help him** - There are times that you forbear and times that you help. When [does one forbear]? If he [who saw the animal] were a priest and it [the animal] were in the cemetery, he does not become unclean for it (*Mechilta*).<sup>38</sup>

**help shall you help** - If he unloaded and loaded, unloaded and loaded, even four or five times, he is obliged [to repeat the process if necessary], it being written: “help shall you help” [connoting recurrent helping] (*Bava Metzia* 32a).<sup>39</sup>

**help shall you help with him** - This tells me [that he must help] only if its owner is with him. Whence do I derive [that he must do so even] if

his owner is not with him [but the animal is alone]? From: "help shall you help" — in any event (*Ibid.* 31a).<sup>40</sup>

**help shall you help with him** - If the owner went and sat down [doing nothing], telling him: "Since it is your *mitzvah*, if you want to unload, unload," he is exempt, it being written: "with him." But if the owner were old or sick, he is obligated [to perform the *mitzvah* by himself] (*Ibid.* 42a).<sup>41</sup>

**23:6 You shall not incline the judgment of your poor one in his quarrel.**

**You shall not incline the judgment of your poor one** - R. Avahu said: There are ten distinctions between monetary and capital cases, none of which obtain in the instance of an ox that is to be stoned except the requirement [as in "other" capital cases] of a *beth-din* of twenty-three, it being written: "You shall not incline [by a one-verdict margin] the judgment of your poor one in his quarrel" [condemning him to death (in an instance of twelve against eleven)], but you may thus incline the judgment of an ox facing stoning (*Sanhedrin* 36b).<sup>42,43</sup>

**You shall not incline the judgment of your poor one** - It was taught: Abba Chanan says in the name of R. Eliezer: If an evildoer and an observant Jew are being judged by you, do not say: Since this one is an evildoer, I shall incline the judgment against him. In this respect it is written: "You shall not incline the judgment of your poor one in his quarrel" — [The reference is to] one who is poor in *mitzvot* (*Mechilta*).<sup>44</sup>

**in his quarrel** - "in his *quarrel*" [i.e., in judgment] you do not incline, but you do incline [in favor of the poor man] in respect to *leket*, *shikchah*, and *peah* [i.e., If in doubt whether something in the province of these *mitzvot* belongs to you or to him, decide in his favor] (*Yerushalmi Peah* 4:5).<sup>45</sup>

**23:7 From a thing of falsehood you shall keep far, and a clean one and a righteous one you shall not kill; for I shall not vindicate the evildoer.**

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that a judge [if he suspects that he has erred in judgment] should not seek corroboration for his verdict? From: "From a thing of falsehood you shall keep far" (*Shevuoth* 30b).<sup>46</sup>

**From a thing of falsehood you shall keep far** - Whence is it derived that a judge should not seat a disciple who is an ignoramus before him? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>47</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a judge knows his colleague to be a thief, or, similarly, if a witness knows his fellow to be a thief, that he should not participate with him? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>48</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a judge knows that justice is being perverted, he should not say: Since this is what the witnesses are saying, I will rule accordingly, and "let the noose be tied around the necks of the witnesses" [i.e., let them take the blame for the false verdict]? From: "From a thing of falsehood you shall keep far" (*Ibid.* 31a).<sup>49,50</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a disciple is sitting before his master [who is presiding in judgment], and he sees an argument in favor of the poor man and against the rich man, he should not remain silent? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>51</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a disciple sees his master erring in judgment, he should not say: "I shall wait until he finishes, after which I will 'pull down his edifice,' rebuild it on my own, and have the judgment credited to me"? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>52</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a disciple tells his master: "You know that I would not lie for a hundred *maneh*, but that man owes me a *maneh*, and I have only one witness to the fact. Just come and stand there. Say nothing, so that no falsehood will be issuing from your mouth" —

Whence is it derived that this, too, is forbidden? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>53</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a man is owed one hundred by his neighbor he should not say: I shall claim two hundred so that he will admit one hundred and be liable for an oath on the rest, whereupon I shall make him swear on a different claim [which, in itself, does not impose an oath]? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>54</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if a man is owed one hundred by his neighbor and claims two hundred, the other shall not say: I shall deny everything in *beth-din* and admit [one hundred] outside of *beth-din* so that I shall not be liable for an oath [on the other hundred] and he will not be able to impose upon me an oath for a different claim? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>55</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if three men are owed a *maneh* by another, one of them should not take on the role of sole claimant and the other two of witnesses in order to extract the *maneh* and divide it among themselves? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>56</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that if two arrive for a litigation, one dressed in rags, and the other in finery of a hundred *maneh*, the second is told: Dress yourself as he is dressed or dress him as you are dressed? From: "From a thing of falsehood you shall keep far" (*Ibid.*).<sup>57</sup>

**From a thing of falsehood you shall keep far** - The Rabbis taught: Whence is it derived that a judge should not hear the plea of one litigant before the other arrives, and that one litigant should not voice his plea to the judge before the other arrives? From: "From a thing of falsehood you shall keep far" (*Ibid.* 31a).<sup>58</sup>

**From a thing of falsehood you shall keep far** - It was taught: R. Nathan says: "From a thing of falsehood you shall keep far" — This is an exhortation to separate oneself from heresy; and in this respect it is

written (*Koheleth* 7:27): “And I find more bitter than death, etc.” (*Mechilta*).<sup>59</sup>

**and a clean one and a righteous one you shall not kill** - The Rabbis taught: Whence is it derived that if one left *beth-din* liable and someone said: I have something to say in his behalf, that he is returned [for a re-hearing]? From: “and a clean one and a righteous one you shall not kill.” And whence is it derived that if one left *beth-din* vindicated and someone said: I have something to say against him, that he is not returned? From: “and a righteous one [i.e., one who has been declared righteous by *beth-din*] you shall not kill” (*Sanhedrin* 33b).<sup>60</sup>

**and a clean one and a righteous one you shall not kill** - If one testified against another that he worshiped the sun, and another, that he worshiped the moon, I might think that they combine [to constitute the necessary two witnesses]; it is, therefore, written: “and a clean one and a righteous one [i.e., ‘technically’ righteous] you shall not kill” (*Mechilta*).<sup>61</sup>

**and a clean one and a righteous one you shall not kill** - It was taught: If one were pursuing another to kill him with a knife in his hand, and was warned — if the witnesses averted their eyes, and then found the victim in the throes of death, with the knife dripping blood in the killer’s hand, I might think that he could be convicted; it is, therefore, written: “and a clean one and a righteous one [i.e., ‘technically’ righteous] you shall not kill” (*Ibid.*).<sup>62</sup>

**for I shall not vindicate the evildoer** - I might think that if he is vindicated by human justice he is, likewise, vindicated by Divine justice; it is, therefore, written: “for I shall not vindicate the evildoer” (*Yerushalmi Sanhedrin* 4:3).<sup>63</sup>

23:8 And a bribe you shall not take; for a bribe blinds the wise and perverts the words of the righteous.

**And a bribe [shochad]** - What is “*shochad*”? “*shehu chad*” [i.e., “He (the bribed) is one” (with the briber)]. Once he accepts a bribe from him, he becomes predisposed towards him, and he is, virtually, the other himself — and one is not inclined to find himself liable (*Kethuvot* 105a).<sup>64</sup>

**And a bribe you shall not take** - What is the intent of this? If to teach that a judge should not [take a bribe to] acquit the guilty or convict the innocent, it is already written (*Deuteronomy* 16:19): "You shall not pervert judgment." It must be, then, that he should not take a bribe even to acquit the innocent and convict the guilty" (*Ibid.*).<sup>65</sup>

**And a bribe you shall not take** - The Rabbis taught: "And a bribe you shall not take" — Not only a monetary bribe, but even a verbal one is forbidden, it not being written: "And *profit* you shall not take" (*Ibid.*).<sup>66</sup>

**for a bribe blinds** - Every judge that takes bribes and perverts judgment does not die of old age until his eyes grow dim, as it is written: "And a bribe you shall not take; for a bribe blinds" (*Peah* 8:9).<sup>67</sup>

**for a bribe blinds** - R. Avahu said: Come and see how great is the blindness of the takers of bribes. One with an eye ailment pays a doctor [handsomely] though uncertain whether he will or will not be cured; and these [takers of bribes] take a *perutah* [worth almost nothing] and blind their own eyes, as it is written: "for a bribe blinds" (*Kethuvot* 105a).<sup>68,69</sup>

**for a bribe blinds** - Lest you say: I will take money and *not* pervert judgment, it is written: "for a bribe blinds" (*Mechilta*).<sup>70</sup>

**blinds the wise [pikchim]** - "*pikchim*," here, refers to the wise. But perhaps the meaning is [ , as it may be in Hebrew, that a bribe] will blind the eyes of the seeing. [This cannot be, for] (*Deuteronomy* 16:19): "for a bribe blinds the eyes of of the wise" already speaks of [blinding] the eyes [literally]. How, then, are we to understand: "blinds *pikchim*"? "*Pikchim*" of *mind* [i.e., It will cause distortion of judgment] (*Ibid.*).<sup>71</sup>

**and perverts the words of the righteous** - He changes [i.e., distorts] the righteous words pronounced at Sinai (*Ibid.*).<sup>72</sup>

23:9 And a stranger you shall not oppress. And you have known the soul of the stranger; for you were strangers in the land of Egypt.

**And a stranger you shall not oppress, etc.** - See commentary on 22:20

23:10 And six years shall you sow your land and gather in its produce.

**And six years shall you sow** - It was taught: R. Elazar says: When the Jews do the Blessed One's will, they observe one *shemittah* [fallow year] in a seven-year period, as it is written: "And six years shall you sow your land." And when they do not do the Blessed One's will, they observe four *shmittoth* in one seven-year period. How so? The land is left fallow one year and sown the next year; fallow one year and sown the next year (*Mechilta*).<sup>73</sup>

23:11 And the seventh year it shall lie fallow and you shall leave it. And the poor of your people shall eat; and what they leave shall be eaten by the animals of the field. So shall you do with your vineyard and with your olive grove.

**it shall lie fallow and you shall leave it** - It shall lie fallow with respect to hoeing, and you shall leave it with respect to removing stones (*Moed Katan* 3a).<sup>74</sup>

**it shall lie fallow and you shall leave it** - It was taught: Beth Hillel say: What is the intent of: "and you shall leave it"? To teach that there is another "leaving" like this, viz.: Just as this "leaving" is for both rich and poor, so the "leaving" of *hefker* [renunciation of property rights] does not take effect unless it is for both rich and poor (*Yerushalmi Peah* 6:1).<sup>75</sup>

**it shall lie fallow and you shall leave it** - This teaches us that he [must "leave it" even to the extent of] allowing breaches in the fence; but the sages allowed repairs to be made for the general good (*Mechilta*).<sup>76</sup>

**it shall lie fallow and you shall leave it** - "it shall lie fallow" with respect to working it; "and you shall leave it" with respect to eating from it. This tells me only of fruit. Whence do I derive the same for herbs? From: "and you shall leave it" — in all respects (*Ibid.*).<sup>77</sup>

**And the poor of your people shall eat** - It was taught: R. Yossi says: The fruits of *shevi'ith* [the seventh year], after the time of removal, may be eaten by rich and poor alike. Whence is this derived? From: "And

the poor of your people shall eat.” Read it: “And the poor shall eat, and your people shall eat” (*Yerushalmi Shevi'ith* 9:6).<sup>78</sup>

23:12 Six days shall you do your work, and on the seventh day shall you rest, so that there rest your ox and your ass, and there be refreshed the son of your maid-servant and the stranger.

**and on the seventh day shall you rest** - Why is the subject of Sabbath juxtaposed with that of *shevi'ith*? To teach that [the commemoration of] the Sabbath of creation is not to be superseded [by *shevi'ith*, which, in principle, is also a commemoration of the creation] (*Mechilta*).<sup>79</sup>

**so that there rest your ox** - From here it is derived that one is commanded in respect to the resting of his beast as he is in respect to his own resting (*Yerushalmi Shabbath* 5:3).<sup>80</sup>

**so that there rest your ox** - Scripture adds an additional “resting” so that a beast be permitted to tear [grass] from the earth and eat it. But perhaps the intent is that it be confined within the house [even such tearing being forbidden (and not only labors for the sake of man)]! This cannot be, for this would not be resting [for the beast, but pain] (*Mechilta*).<sup>81</sup>

**and there be refreshed the son of your maid-servant** - This refers to an uncircumcised servant. But perhaps it refers to a circumcised one? [This cannot be, for] (*Deuteronomy* 4:14): “so that there rest your man-servant and your maid-servant as you” refers to a circumcised man-servant [i.e., “your man-servant (who is circumcised) as you”] (*Yevamoth* 48b).<sup>82</sup>

**and the stranger** - This refers to a *ger toshav* [a “sojourning stranger” (one who shuns idolatry and observes the seven Noachide laws)]. But perhaps it refers to a *ger tzedek* [a “righteous convert” (one who embraces Judaism)]! This cannot be, for] (19:10): “and your stranger within your gates” refers to a *ger tzedek* (*Ibid.*).<sup>83,84</sup>

23:13 And everything that I have spoken of to you, you shall

observe. And the name of other gods you shall not mention; it shall not be heard upon your mouth.

**you shall observe** - to include activities which are forbidden because of *shvuth* [i.e., bordering on the forbidden labors of Sabbath] (*Mechilta*).<sup>85</sup>

**you shall not mention** - What is the intent of "you shall not mention"? One should not say: "Wait for me near that idol" [mentioning its name] (*Sanhedrin* 63b).<sup>86</sup>

**you shall not mention** - It was taught: "And the name of other gods you shall not mention" — You shall not mention them affirmatively, but you may mention them pejoratively, as it is written (*Deuteronomy* 7:26): "Abominate shall you abominate it" (*Mechilta*).<sup>87</sup>

**you shall not mention** - Do not cause an idolator to swear by his god (*Ibid.*).<sup>88</sup>

**it shall not be heard upon your mouth** - This is an exhortation against incitement to idolatry (*Sanhedrin* 63b).<sup>89</sup>

**it shall not be heard upon your mouth** - One must not vow or fulfill in its name or cause others to vow or fulfill in its name (*Ibid.*).<sup>90</sup>

**it shall not be heard upon your mouth** - Shmuel's father says: One is forbidden to enter into partnership with a gentile, lest an oath be imposed [to settle a dispute] and he swear by his god; and Scripture states: "it shall not be heard upon your mouth" (*Ibid.*).<sup>91</sup>

23:14 Three times shall you celebrate for Me in the year.

**Three times [regalim]** - A minor who cannot hold onto his father's hand and make the ascent [by foot] to Jerusalem to the Temple mount is exempt from that *mitzvah*, it being written: "Three *regalim*" [lit., "feet"] (*Chagigah* 2a).<sup>92</sup>

**Three times [regalim]** - R. Tanchum said: One who is lame on one foot is exempt from the *mitzvah* of going to Jerusalem for the festival, it being written: "Three *regalim*" [lit., "feet"] (*Ibid.*).<sup>93</sup>

**Three times [regalim]** - The Rabbis taught: "*regalim*" [lit., "feet"] to exclude one who walks on crutches, one who is sick, or blind or old, and one who is unable to walk (*Ibid.* 4a).<sup>94,95</sup>

**Three times** - Why are the "three times" mentioned in the section of *shevi'ith*? To teach that [in the *shemita* year] the three festivals are not to be dislodged from their proper times [though these times correspond to those of planting, harvesting, etc., operations which are suspended in the *shemita* year] (*Mechilta*).<sup>96</sup>

**23:15** The festival of matzoth shall you keep. Seven days shall you eat matzoth, as I commanded you, at the appointed time in the month of Aviv; for in it did you go out of Egypt. And My face shall not be seen empty-handed.

**The festival of matzoth shall you keep seven days** - The Rabbis taught: "The festival of matzoth shall you keep seven days" — This teaches us that labor is forbidden on Chol Hamoed [the intermediate days of the festival] (*Chagigah* 18a).<sup>97</sup>

**at the appointed time in the month of Aviv** - From here R. Yehudah b. Betheira derived: Years are intercalated so that the festival [Pesach] falls out only in the month of Aviv (*Mechilta*).<sup>98</sup>

**And My face shall not be seen empty-handed** - When [does one transgress if he does not come with a sacrifice]? On the festival [i.e., the first day] itself (*Chagigah* 7a).<sup>99</sup>

**And My face shall not be seen empty-handed** - I would not know whether a burnt-offering or a peace-offering were intended. I, therefore, deduce it as follows: It is written: "a festive-offering" in respect to an Israelite, and: "seeing" in respect to the L-rd. Just as the "festive-offering" stated in respect to an Israelite is one that is fit for him [i.e., one that he may eat from, namely, a peace-offering], so the "seeing" in respect to the L-rd signifies an offering which is fit for Him [i.e., one that is *entirely* for Him, namely, a burnt-offering] (*Ibid.*).<sup>100</sup>

**And My face shall not be seen empty-handed** - From here it is derived that there is no set value to the offering of "seeing," it being written:

“And My face shall not be seen empty-handed” — any amount being sufficient (*Yerushalmi Peah* 1:1).<sup>101</sup>

And My face shall not be seen empty-handed - even after death [i.e., If he died before he could bring the “seeing” offering that he set aside, his heirs must bring it] (*Yerushalmi Chagigah* 1:1).<sup>102</sup>

23:16 And the festival of the harvest, the first fruits of your labor, which you sow in the field; and the festival of ingathering at the going out of the year, when you gather your labor from the field.

And the festival of the harvest - Resh Lakish said: Whence is it derived that the *atzereth* [Shevuoth] offering may be brought all seven [days after the festival if he did not bring it on the festival itself]? From: “And the festival of the harvest.” Which festival is it on which you bring the offering and may harvest? *Atzereth*. What does this refer to? If to the day of the festival itself? Is it permitted to harvest on the festival! It must be referring, then, to the possibility of compensation [of the festive offering after the festival, at which time it is also permitted to harvest] (*Chagigah* 18a).<sup>103</sup>

And the festival of the harvest - R. Yochanan said: What is “the festival of the harvest”? If, the festival on which harvesting takes place — is it permitted to harvest on a festival! It must be, then, the festival which falls out during the harvest period [i.e., Shevuoth] (*Ibid.*).<sup>104</sup>

And the festival of the harvest - One verse states: “And the festival of the harvest” [implying that it is permitted to harvest on the festival], and, another (*Leviticus* 23:21): “All manner of work you shall not do”! How is this to be reconciled? If the festival falls out on a weekday, you bring the festive offering and abstain from labor. If the festival falls out on a Sabbath, then, on the following day you bring the festive offering and you may harvest (*Yerushalmi Chagigah* 2:4).<sup>105</sup>

And the festival of the harvest, the first fruits of your labor - From here it is derived that *bikkurim* [the first-fruits] are not brought before the *atzereth* [i.e., they are not brought before the two breads of the festival are brought] (*Bikkurim* 1:3).<sup>106</sup>

**the first fruits of your labor** - It was taught: Whence is it derived that the two breads precede the libations and the fruits of the tree? It is written here: “the first fruits of your *labor*,” and, further: “when you gather your *labor* from the field.” Just as there, [the grapes for] libations and the fruits of the tree [are gathered], here, too, [in the term, “labor”], libations and the fruits of the tree [are included; and “labor” here is preceded by “the first fruits” (i.e., the two breads)] (*Menachoth* 84b).<sup>107</sup>

**which you sow in the field** - It was taught: Whence is it derived that [the bringing of] the *omer* permits that grain which had taken root [before the omer]? From: “And the festival of the harvest, the first fruits of your labor, which you sow” — [it is permitted] from the time of sowing. If so, [it should be permitted] even if it did *not* take root! This is negated by: “which you sow *in the field*” [which connotes having taken root in the field] (*Ibid.* 71a).<sup>108,109</sup>

**which you sow in the field** - It was taught: Whence is it derived that the two breads precede the *bikkurim*? From (34:22): “And the festival of Shevuoth shall you keep, the first fruits of the wheat harvest” [i.e., the two breads of the festival precede the wheat harvest]. This tells me only of the wheat harvest. Whence do I derive [that they also precede] the barley harvest? From: “And the festival of the harvest, the first fruits of your labor, which you sow in the field” [the implication being that the two breads of the festival precede the harvesting of all that is sown in the field]. And this tells me [that they precede the harvesting] only of what is sown. Whence do I derive [that they also precede] what grew of itself [from seeds scattered by the wind]? From: “in the field” [implying all that grows in the field] (*Ibid.* 84b).<sup>110-112</sup>

**and the festival of ingathering** - What is intended by “ingathering”? If, the festival that falls out at the time of ingathering [i.e., Succoth], it is already written: “when you gather” [i.e., Why the repetition?] What, then, is “ingathering”? Reaping [what has been left in the fields], this being qualified by: “at the going out of the year” to teach that the reaping of the festival appertains to [the produce of] the year that has passed [and not to that of the new year] (*Rosh Hashanah* 13a).<sup>113,114</sup>

**and the festival of ingathering** - R. Yochanan said: What is “the festival of ingathering”? If, the festival during which there is

ingathering — is labor permitted on a festival! The intent, then, must be: the festival which falls out at the time of ingathering [i.e., Succoth] (*Chagigah* 18a).<sup>115</sup>

and the festival of ingathering at the going out of the year - And further it is written (34:22): “and the festival of ingathering, the advent of the year.” In which month is there: “festival,” and “advent,” and “ingathering,” and the “going out” of a year? Tishrei. From here it is derived that years are reckoned from Tishrei (*Yerushalmi Rosh Hashanah* 1:2).<sup>116</sup>

23:17 Three times in the year shall be seen all your males before the face of the Master, the L-rd.

**Three times** - It was taught: “times” signifies “festivals,” as it is written (*Isaiah* 26:6): “the times [i.e., festivals] of the poor,” and (*Song of Songs* 7:3): “How beautiful are your times [of “steps”] in sandals” — How beautiful are the steps of Israel ascending to the festival. From here [“steps”] it is derived that the stump-legged are exempt from “being seen” [in Jerusalem] on the festival (*Chagigah* 3a).<sup>117</sup>

**shall be seen** - It was taught: Yochanan b. Dehavai says in the name of R. Yehudah: One who is blind in one eye is exempt from “being seen,” it being written: “*yeraeh*” [“shall be seen,” which can also be read as:] “*yireh*” [“shall see”]. Just as he comes to see with both of his eyes, so shall he come to be seen with both of his eyes (*Ibid.* 2a).<sup>118</sup>

**shall be seen** - One who can speak but not hear, and one who can hear and not speak are exempt from “being seen.” Why so? It is derived: “shall be seen” [here] - “shall be seen,” in respect to *hakhel* [the *mitzvah* of assembling to hear the reading of the law, where the above are explicitly exempt] (*Ibid.* 3a).<sup>119</sup>

**shall be seen** - R. Huna, when he would come to this verse: “shall be seen” - “shall see” [see above (118)] would cry, saying: Shall a master be constrained to remove himself from the servant that he yearns to see! viz. (*Isaiah* 1:12); “When you come to be seen before Me — who asked this of you, you trampers of My courts [i.e., transgressors]!” (*Ibid.* 4b).<sup>120</sup>

**shall be seen** - It was taught: "shall be seen" - "shall see" — Just as One comes to see, so shall one come to be seen] — Just as I [the L-rd] come gratis, so you come [on the secondary days of the festival] gratis [i.e., You may enter the *azarah* without an offering] (*Ibid.* 7a).<sup>121</sup>

**all your males** - The Rabbis taught: "males" — to exclude females; "*your* males" — to exclude a *tumtum* [one whose sex is in doubt] and a hermaphrodite (*Ibid.* 4a).<sup>122</sup>

**all your males** - It was taught: Others say: One who collects excrement, a refiner of copper, and a tanner are exempt from "being seen," it being written: "all your males" — those who can go up with all your males; to exclude those [like the above] who cannot go up with all your males [because of their offensive odor] (*Chagigah* 4a).<sup>123</sup>

**before the face of the Master, the L-rd** - It was taught: Servants are exempt from "being seen," it being written: "shall be seen all your males before the face of the Master, the L-rd" — one who has only one Master; to exclude one who has another master (*Ibid.*).<sup>124</sup>

**before the face of the Master, the L-rd** - R. Yehoshua b. Levi said: Whence is it derived that all who fulfill the *mitzvah* of "being seen," behold, as it were, the Divine Presence? From: "Three times in the year shall be seen all your males before the face of the Master, the L-rd" (*Yerushalmi Chagigah* 1:1).<sup>125</sup>

**23:18** You shall not offer alongside *chametz* the blood of My sacrifice; and there shall not remain the fat of My festival offering until morning.

**and there shall not remain the fat of My festival offering** - R. Cahana said: Whence is it derived that the devoted portions of the festive offering of the fifteenth [of Nissan, i.e., Pesach] become unfit by being allowed to remain overnight [without being sacrificed]? From: "and there shall not remain the fat of My festival offering until morning," followed by: "The first ...," to teach that the reference is to the first morning [after the fifteenth] (*Pesachim* 71a).<sup>126,127</sup>

**and there shall not remain the fat of My festival offering** - Scripture

hereby teaches us that fats are invalidated by being allowed to remain overnight (*Mechilta*).<sup>128</sup>

until morning - R. Cahana asked: It is written: "and there shall not remain the fat of My festival offering until morning" — until *morning* it shall not remain; but it may remain the entire evening. But it is written: (*Leviticus* 6:5): "And he shall cause to smoke upon it the fat of the peace-offerings" — Consummate with it [i.e., the afternoon *tamid*] all of the offerings [i.e., Do not sacrifice another offering after it]! *He* asked, and *he* answered: The reference is to what was left over [from offerings whose blood had been sprinkled, but which could not be sacrificed, before the time for the *tamid* offering] (*Pesachim* 59b).<sup>129-131</sup>

23:19 The first of the first-fruits of your land you shall bring to the house of the L-rd your G-d; you shall not cook a kid in the milk of its mother.

The first of the first-fruits of your land - All of the growths must be "of your land" — to exclude: one who plants in his own land and engrafts onto that of another or that of the public; one who engrafts from that of another or that of the public onto his own; and one who plants in his own land and engrafts onto his own, a private or a public path intervening (*Bikkurim* 1:1,2).<sup>132</sup>

The first of the first-fruits of your land - All of the growths must be "of your own land" — to exclude from the *mitzvah* of *bikkurim*: tenant farmers, renters, extortionists, and thieves (*Ibid.*).<sup>133</sup>

The first of the first-fruits of your land - "*your* land" — to exclude that of a gentile [i.e., fruits from the land of a gentile are exempt from *bikkurim*] (*Bava Bathra* 81a).<sup>134</sup>

you shall bring to the house of the L-rd - And it is written (*Isaiah* 58:7): "and the cast-out poor you bring to your house." This teaches us that if one brings the poor into his house, it is accounted by Scripture as if he had brought *bikkurim* to the Temple (*Yerushalmi Peah* 5:5).<sup>135</sup>

you shall bring to the house of the L-rd - This teaches us that he is liable for restitution [in the case of loss or theft] until he brings them to the Temple mount (*Yerushalmi Bikkurim* 1:5).<sup>136</sup>

**You shall not cook** - It was taught in the school of R. Yishmael: It is written: "You shall not cook a kid in the milk of its mother," three times [here, 34:26, and *Deuteronomy* 14:21]: one forbidding eating [the two together], one forbidding the derivation of benefit, and one forbidding cooking (*Chullin* 115b).<sup>137,138</sup>

**You shall not cook** - This tells me only of non-consecrated food. Whence do I derive [this prohibition for] consecrated food? From: "... you shall bring to the house of the L-rd your G-d; you shall not cook a kid in the milk of its mother" (*Mechilta*).<sup>139</sup>

**a kid** - R. Akiva says: It is written: "You shall not cook a *kid* in the milk of its mother," three times — to exclude [from the prohibition] animals [as opposed to beasts], birds, and unclean beasts (*Chullin* 113b).<sup>140</sup>

**a kid** - Even a cow and a sheep are included. Whence is this derived? R. Elazar says: From (*Genesis* 38:20): "And Judah sent the kid of the goats." Here it is specified "kid of the *goats*," whence we infer that wherever "kid" alone is written, even a cow and a sheep [i.e., all beasts] are included (*Ibid.*).<sup>141</sup>

**a kid** - Shmuel said: "a kid" — to include forbidden fats [i.e., if he cooked forbidden fats with milk, he receives stripes, respectively, for cooking it with milk and for eating it with milk]; "a kid" — to include *neveilah* [carrion]; "a kid" — to exclude a placenta; "a kid" — to exclude the unclean [i.e., both clean meat and unclean milk and clean milk and unclean meat are permitted vis à vis cooking and derivation of benefit] (*Ibid.*).<sup>142-144</sup>

**in the milk [bachalev]** - I might think it should be read "*becheilev*" [i.e., "in the fats" — an interdiction against frying]; but this is countermanded by: "You shall not *cook*," Scripture prohibiting cooking [and not frying, so that, perforce, the reading is: "*bachalev*" ("in the milk")] (*Sanhedrin* 4b).<sup>145</sup>

**in the milk of its mother** - Shmuel said: "in the milk of its *mother*," and not in the milk of a male [in the rare occurrence of some milk dripping from its breast]; "in the milk of its [living] *mother*," and not in the milk of a beast that has been slaughtered: "in the milk of its *mother*," and not in the milk of an unclean beast (*Chullin* 113b).<sup>146-148</sup>

in the milk of its mother - The Rabbis taught: "in the milk of its mother": This tells us only of the milk of its *mother*. Whence is derived [as also prohibited] the milk of a cow or a sheep, or [the cooking of] it itself in its own milk? From: "in the milk of its mother" [which, in the Hebrew, connotes such extension of inclusion] (*Ibid.* 114a).<sup>149,150</sup>

23:20 Behold, I shall send an angel before you to watch over you upon the way and to bring you to the place which I have readied.

I shall send an angel - Rava asked Rabbah b. Mari: Whence is derived the Rabbinic apothegm: "When we were small, we were like men; now that we are old, we are like children"? He answered: In the beginning it is written (13:21): "And the L-rd went before them ... *to light* them," and, in the end: "Behold, I shall send an *angel* before you *to watch over* you upon the way" (*Bava Kamma* 92a).<sup>151,152</sup>

23:25 And you shall serve the L-rd your G-d, and He will bless your bread and your water, and I shall remove sickness from your midst.

and He will bless [uveirach] your bread - It was taught: Whence is it derived that one must recite a blessing over food before eating it? R. Yitzchak said: From: "*uveirach* your bread." Read it not *uveirach* ["and He will bless"], but *uvarech* ["and you shall bless"]. And when is it called "bread"? *Before* it is eaten (*Berachoth* 48b).<sup>153</sup>

and your water - R. Chanin b. Pappa said: All wine that is not "spilled" in one's house, as water, is not in the category of "blessing," it being written: "and He will bless your bread and your water" [Water is being likened to bread], viz.: Just as the "bread" referred to is that purchased with money of *ma'aser*, so the "water" is that purchased with money of *ma'aser*. And what is *that*? Wine. And it is called "water" [the idea being that] if it is "spilled" in one's house, as water is, it contains blessing; if not, it does not (*Eruvin* 65a).<sup>154,155</sup>

and I shall remove sickness - It was taught: "Sickness" refers to an overflow of bile. Why is it called "sickness" [*machalah*]? For it

subsumes eighty-three [such being the numerical equivalent of "*machalah*"] sicknesses. And all are prevented by bread and salt in the morning and a cup of water (*Bava Kamma* 92b).<sup>156,157</sup>

and I shall remove sickness from your midst - Rava said to Rabbah b. Mari: Whence is derived the Rabbinic behest: "Arise early and eat: in the summer, because of the heat; and, in the winter, because of the cold" — and the folk-saying: "Sixty runners ran, but none could overtake the man who broke bread in the morning"? From: "And you shall serve the L-rd your G-d" — This is the *Shemah* and the *Amidah*; "and He will bless your bread and your water" — This is bread and salt and a cup of water; followed by: "and I shall remove sickness from your midst" (*Ibid.*).<sup>158,159</sup>

23:26 There shall not be miscarriage nor barrenness in your land; the number of your days I shall complete.

the number of your days I shall complete - It was taught: Shimon b. Azzai says: I found a secreted scroll in Jerusalem, in which it was written: "Menashe killed Isaiah." Rava said: He judged him and killed him, saying: Moses, your master, said: "The number of your days I shall complete," [the implication being, I shall bring them up to the originally prescribed maximum], and *you* say (*II Kings* 20:6): "And I shall *add* to your days fifteen years"! (*Yevamoth* 49b).<sup>160</sup>

the number of your days I shall complete - And it is written (*II Kings* 20:6): "And I shall *add* to your days fifteen years." How is this to be understood? As per the Tannaitic disquisition, viz.: "The number of your days I shall complete" — this refers to the years prescribed for man. If he merits it, they are completed as originally allotted; if not, they are diminished [from the original allotment]. These are the words of R. Akiva. And the sages say: If he merits it, years are added [to the original allotment]; if not, they are detracted [from it] (*Ibid.*).<sup>161</sup>

the number of your days I shall complete - This teaches us that the Holy One Blessed be He sits and completes [bringing round to full cycle] the years of the righteous, from day [of birth] to day [of death] [and from month to month] (*Kiddushin* 38a).<sup>162</sup>

23:27 My fright shall I send before you, and I shall confound all the people among whom you come; and I shall set the backs of all your foes before you.

**My fright shall I send** - It was taught: When Israel crossed the Jordan, no one could stand up against them. Anyone who attempted to do so was immediately set quaking, as it is written: "My fright shall I send before you, and I shall confound all the people among whom you come" (*Sotah* 36a).<sup>163</sup>

23:28 And I shall send the hornet before you, and it shall drive out the Chivite, the Canaanite, and the Hittite before you.

**And I shall send the hornet** - It was taught: The hornet swarm did not cross over with them. But is it not written: "And I shall send the hornet"? R. Shimon b. Lakish said: It hovered over the bank of the Jordan and cast a fright into them, blinding them above and castrating them below, as it is written (*Amos* 2:9): "And I destroyed the Emorite before them, cutting off its fruits above and its roots below." R. Pappa said: There were two hornet swarms, one with Moses and another with Joshua. That with Moses did not cross; that with Joshua did (*Ibid.*).<sup>164</sup>

23:33 They shall not dwell in your land lest they cause you to sin against Me, so that you serve their gods and they be a stumbling block to you.

**They shall not dwell in your land** - It was taught: "They shall not dwell in your land lest they cause you to sin against Me." I might think that subsumed herein is a gentile who took it upon himself not to serve idols; it is, therefore, written [regarding the above] (*Deuteronomy* 23:16-17): "Do not hand over a servant to his master, who shall take refuge with you from his master. With you shall he dwell, in your midst" (*Gittin* 45a).<sup>165</sup>

24:1 And to Moses he said: Go up to the L-rd: you and Aaron, Nadav and Avihu, and seventy of the elders of Israel, and bow down from afar.

**Go up to the L-rd** - A certain Sadducee said to R. Idith: It is written: "And to Moses he said: Go up to *the L-rd*." Should it not be written: "Come up to *Me*"? He answered: The reference is to Metatron [the archangel], whose name is identical to that of his Master [the *gematria* (numerical equivalent) of *Metatron* and that of *Shakkai* (one of the names of G-d) being the same (314)] (*Sanhedrin* 38b).<sup>1</sup>

**24:5** And he sent the youths of the children of Israel, and they offered up burnt-offerings, and they sacrificed peace-offerings of bullocks to the L-rd.

**the youths of the children of Israel** - Once King Ptolemy assembled seventy-two sages, placed them in seventy-two [separate] rooms, and said to them: "Transcribe for me [into Greek] the Torah of Moses your teacher," whereupon the Holy One Blessed be He placed goodly counsel into the heart of each, so that all wrote as one: "And he sent the *dignitaries* of the children of Israel" [lest "youths" be taken demeaningly] (*Megillah* 9a).<sup>2</sup>

**the youths of the children of Israel** - Three scrolls were found in the *azarah* [the Temple Court], in one of which it was found to be written: "And he sent the *dignitaries* of the children of Israel," and in two: "the *youths* of the children of Israel." The two were retained and the one, voided. (*Yerushalmi Ta'anith* 4:2).<sup>3</sup>

**and they offered up burnt-offerings** - [It was taught: Issi b. Yehudah said: "And they offered up burnt-offerings" — sheep; "and they sacrificed peace-offerings" — bullocks] (*Yoma* 52b).<sup>4</sup>

**and they offered up burnt-offerings** - It was taught: Before the erection of the tabernacle, the sacrificial service was conducted by the first-born [and not by priests]. [R. Huna b. R. Katina asked R. Chisda: But is it not written: "And he sent the *youths* [not necessarily first-born] of the children of Israel and they offered up burnt-offerings"? He answered: Thus was it stated by R. Assi: "and they offered up burnt-offerings" is to be understood as preceded by a hiatus [i.e., "And he sent the youths" (on a certain mission), and they (i.e., the first-born) offered up burnt-offerings, etc." ] (*Zevachim* 115b).<sup>5</sup>

**and they sacrificed peace-offerings [shelamim]** - Now according to the opinion that until the giving of the Torah the Jews did not sacrifice peace-offerings, is it not explicitly written: "and they sacrificed peace-offerings" [the time understood to be the fifth of Sivan, one day *before* the giving of the Torah]? According to that opinion, "*shelamim*" is understood [not as "peace-offerings"], but as burnt-offerings "*sheleimim*" ["whole"] in their bodies, not flayed and not sectioned (*Yerushalmi Megillah* 1:11).<sup>6,7</sup>

24:6 And Moses took half the blood and put it in basins, and half the blood he sprinkled upon the altar.

**he sprinkled upon the altar** - From here it is derived that our forefathers entered into the covenant only through the mediation of blood (*Krituth* 9a).<sup>8</sup>

24:7 And he took the scroll of the covenant and he read it in the ears of the people; and they said: All that the L-rd will speak we shall do and we shall hear.

**we shall do and we shall hear** - R. Samai expounded: When Israel said: "We shall do" before: "We shall hear," six hundred thousand ministering angels came and crowned each Jew with two crowns, one for "we shall do," the other for "we shall hear" (*Shabbath* 88a).<sup>9</sup>

**we shall do and we shall hear** - R. Elazar said: When Israel said: "We shall do" before: "We shall hear," a Heavenly voice issued forth, saying: "Who revealed to My children this secret, employed by the ministering angels?" As it is written (*Psalms* 103:20): "Bless the L-rd, His angels, mighty in power, doing His word to hear the voice of His word" — first doing, then hearing [i.e., understanding] (*Ibid.*).<sup>10</sup>

**we shall do and we shall hear** - A certain Sadducee said to Rava: "You hasty people! First you should have listened [to hear what you were commanded], and then, if you were able [to abide by it] you should have accepted; and if not, you should not have accepted." He answered: Of us [the Jewish people] who abound in trust, it is written (*Proverbs* 11:3): "The innocence of the upright shall lead them" [and they shall suffer no mishap thereby] (*Ibid.*).<sup>11</sup>

**we shall do and we shall hear** - When Israel said: "We shall do" before: "We shall hear," at that time the Holy One Blessed be He said of them: "My first-born son is Israel" (*Ibid.* 89b).<sup>12</sup>

**we shall do and we shall hear** - See commentary on 20:15

24:8 And Moses took the blood and sprinkled it upon the people, and he said: Behold the blood of the covenant, which the L-rd has made with you over all of these words.

**and sprinkled it upon the people** - This teaches us that our forefathers entered the covenant only through ritual immersion, it being written: "And Moses took the blood and sprinkled it upon the people"; and we learned that there is no sprinkling without immersion (*Krituth* 9a).<sup>13</sup>

**Behold the blood of the covenant, etc.** - It was taught: Rebbi said: Great is circumcision, which is over and against all the *mitzvot* of the Torah, as it is written: "Behold the blood of the covenant, which the L-rd has made with you over all of these words" (*Nedarim* 31b, see *Ein Yaakov*).<sup>14</sup>

24:9 And there went up Moses and Aaron, Nadav and Avihu, and seventy of the elders of Israel.

**and seventy of the elders of Israel** - It was taught: Why were the names of the elders not given? To teach that any three who are set up as a *beth-din* are equivalent to that [*beth-din*] of Moses himself (*Rosh Hashanah* 25a).<sup>15</sup>

24:10 And they saw the G-d of Israel, and under His feet, as the work of the sapphire stone, as the heavens themselves in purity.

**as the work of the sapphire stone** - It was taught: R. Meir was wont to say: What distinguishes *tcheleth* [the blue fringe of the *tzitzith*] from all the other colors? *Tcheleth* is similar to [the color of] the sea; the sea, to the heavens; and the heavens, to the Throne of Glory, as it is written: "and under His feet, as the work of the sapphire stone"; and it is

written (*Ezekiel* 1:26): “as the appearance of a sapphire stone, the figure of the Throne” (*Sotah* 17a).<sup>16,17</sup>

as the work of the sapphire stone - R. Miashiya said: In respect to the Babylonian exile it is written (*Ezekiel* 1:26): “as the appearance of a sapphire stone,” and, in respect to the Egyptian: “as the work of the sapphire *livnah*” [lit., “brick”] — to teach that just as stone is harder than brick, so the bondage of Babylon was more severe than that of Egypt (*Yerushalmi Succah* 4:3).<sup>18</sup>

as the work of the sapphire stone - R. Berachiah said: It is not written: “the work of the sapphire stone,” but “as the work of the sapphire stone.” It [i.e., the toil of Egypt (see above)] involved not only the making of bricks, but also the fashioning of all the necessary implements, and all of the attendant labors (*Ibid.*).<sup>19</sup>

as the work of the sapphire stone - Resh Lakish expounded: “as the work of the sapphire stone” — “as the heavens themselves in purity” [These contradict each other (i.e., the second is “whiter” than the first”)!] [There is no contradiction.] The first [refers to its appearance] before they were redeemed [from the bondage of Egypt]; but once they were redeemed the stone was restored to its original station [where it shone forth in more ethereal resplendence] (*Ibid.*).<sup>20</sup>

24:11 And to the *atzilim* of the children of Israel He did not stretch forth His hand; and they saw G-d, and they ate and they drank.

And to the *atzilim* of the children of Israel - Once King Ptolemy assembled seventy-two sages, placed them in seventy-two [separate] rooms, and said to them: “Transcribe for me [into Greek] the Torah of Moses your teacher,” whereupon the Holy One Blessed be He placed counsel in the heart of each, so that all wrote as one: “And to the *dignitaries* of the children of Israel” [See first commentary on 24:5] (*Megillah* 9a).<sup>21</sup>

and they saw G-d, etc. - “A jewel in the mouth of Rav”: Not as this world is the world to come. In the world to come, there is neither eating nor drinking, begetting of children, engaging in trade, envy, hatred, or

competition. But the righteous sit with their crowns upon their heads and bask in the Divine radiance, as it is written: "And they saw G-d, and they ate and they drank" [i.e., the seeing itself was "eating and drinking"] (*Berachoth* 17a).<sup>22</sup>

24:12 And the L-rd said to Moses: Come up to Me to the mountain, and abide there. And I shall give you the tablets of stone, and the Torah, and the *mitzvah*, which I have written to teach them.

And I shall give you, etc. - R. Shimon b. Lakish said: "And I shall give you the tablets of stone, and the Torah, and the *mitzvah*, which I have written to teach them": "tablets" — these are the Ten Commandments; "Torah" — this is the *Pentateuch*; "and the *mitzvah*" — this is *Mishnah*; "which I have written" — this is *Prophets* and *Hagiographa*; "to teach them" — this is *Talmud*. We are hereby taught that all of these were given to Moses at Sinai (*Berachoth* 5a).<sup>23-28</sup>

And I shall give you, etc. - Whence is it derived that the Torah itself prescribes the blessing over the Torah? R. Chiyya b. Nathan said: From (*Deuteronomy* 8:10): "And you shall bless the L-rd your G-d for the good land which He has *given* you," and: "And I shall *give* you the tablets of stone, and the Torah, and the *mitzvah*" [Just as the first requires a blessing [i.e., grace,], so, the second (*Ibid.* 48b).<sup>29</sup>

and the Torah, and the *mitzvah* - It was taught: Whence is it derived that *mitzvot* require a blessing [before their performance]? R. Tanchuma said in the name of R. Elazar: It is written: "and the Torah, and the *mitzvah*." *Mitzvah* is hereby likened to Torah, viz.: just as Torah requires a blessing, so, *mitzvah* (*Yerushalmi Berachoth* 6:1).<sup>30</sup>

24:14 And to the elders he said: Wait for us here until we return to you; and, behold, Aaron and Chur are with you. Whoever has a claim [against his fellow] shall draw near to them.

Whoever has a claim - R. Nachman said in the name of Rabbah b. Avuha: Whence is it derived that the plaintiff is heard first [i.e., before

the defendant]? From: "Whoever has a claim [against his fellow] shall draw near to them" — He shall present his case to them (*Bava Kamma* 46b).<sup>31</sup>

**Whoever has a claim** - R. Shmuel b. Nachmani said: Whence is it derived that the burden of proof is upon him who would dispossess his neighbor [and not upon the latter]? From: "Whoever has a claim [against his fellow] shall draw near to them" — He must present his proof to them (*Ibid.*).<sup>32</sup>

24:16 And the glory of the L-rd reposed upon Mount Sinai, and the cloud covered it [or him] for six days, and he called to Moses on the seventh day from the midst of the cloud.

**And the glory of the L-rd reposed, etc.** - It was taught: R. Akiva says: "And the glory of the L-rd reposed upon Mount Sinai" — from Rosh Chodesh [the beginning of the month of Sivan]; "and the cloud covered it" — the mountain; "and He called to Moses" — Moses and all of Israel were standing there. Scripture is hereby [by singling out Moses] according honor to Moses (*Yoma* 4a).<sup>33</sup>

**And the cloud covered him for six days** - Let us look into this. It is written further: "and He called to Moses on the seventh day from the midst of the cloud." Why, then, need it be written: "And the cloud covered him for six days"? This is the prototype for all who enter the Divine encampment as requiring a six-day separation period (*Ibid.* 3b).<sup>34,35</sup>

**and He called to Moses on the seventh day** - From here it is derived that the Torah was given to Israel on the seventh day of Sivan (*Ibid.* 4b).<sup>36</sup>

24:18 And Moses came in the midst of the cloud, and he went up to the mountain. And Moses was on the mountain forty days and forty nights.

**And Moses came in the midst of the cloud** - R. Elazar asked: It is written (40:35): "And Moses could not come into the tent of meeting

because the cloud reposed upon it"; and yet it is written: "And Moses came in the midst of the cloud"! This teaches us that the Holy One Blessed be He took hold of him and brought him into the cloud (*Ibid.*).<sup>37</sup>

in the midst of the cloud - It was taught in the school of R. Yishmael: It is written here: "in the midst of the cloud," and, elsewhere (14:22): "And the children of Israel came into the midst of the sea on the dry land." Just as there, there was a path, as it is written (*Ibid.*): "and the waters were a wall to them"; here, too, there was a path (*Ibid.*).<sup>38</sup>

## Terumah

25:2 Speak to the children of Israel and let them take for Me *terumah* [a heave-offering]. From every man whose heart prompts him shall you take My *terumah*.

Speak to the children of Israel, etc. - There are five who do not give *terumah*; and if they do, their *terumah* is no *terumah*: a deaf-mute, an ignoramus, a minor, one who gives *terumah* of what is not his, and a gentile who gives *terumah* of what belongs to a Jew, even with the latter's permission. R. Shmuel b. Nachman inferred all from the following: "Speak to the children of *Israel* and let them take for Me *terumah*" — to exclude a gentile; "From every *man*" — to exclude a minor; "whose heart prompts him" — to exclude a deaf-mute and an ignoramus; "And this is the *terumah* that you shall take from *them*" (3) — to exclude one who gives *terumah* of what is not his (*Yerushalmi Terumoth* 1:1).<sup>1</sup>

and let them take for Me *terumah* - R. Chanina taught in the name of R. Shimon b. Gamliel: Three *terumoth* were intimated in this section: the *terumah* of the pedestals, the *terumah* of *shekalim*, and the *terumah* of the tabernacle. "Speak to the children of Israel and let them take for Me *terumah*" — this is the *terumah* of the pedestals; "shall you take My *terumah*" — this is the *terumah* of *shekalim*"; "And this is the *terumah* that you shall take from them" — this is the *terumah* of the tabernacle (*Yerushalmi Shekalim* 1:1).<sup>2</sup>

25:4 And blue, and purple, and scarlet, and *shesh*, and goats' hair.

And blue [tcheleth] - *Tcheleth* is wool. Whence is this derived? Since

*shesh* is flax, *tcheleth* must be wool [the priestly garments being of flax and wool] (*Yevamoth* 4b).<sup>3</sup>

and scarlet [*tola'ath shani* - lit., a worm of scarlet] - Just as a *tola'ath* is a living creature, so, all that are living creatures [which produce a similar red dye are included in this *halachah*] (*Yerushalmi Kelaim* 9:1).<sup>4</sup>

25:5 And skins of rams dyed red, and skins of *techashim*, and *shittim* wood.

and skins of *techashim* - R. Shimon b. Lakish said in the name of R. Meir: The *tachash* of the days of Moses was a unique creature, the sages being unable to decide whether it belonged to the class of "animal" or that of "beast." It appeared providentially to Moses, he made the tabernacle of it, and it disappeared (*Shabbath* 28b).<sup>5</sup>

25:8 And let them make for Me a sanctuary, and I shall dwell in their midst.

And let them make for Me a sanctuary - Before this, it is written (15:17): "You shall bring them and You shall plant them" [in Eretz Yisrael], followed by: "a habitation for Your dwelling" [the implication being that only *then* was the sanctuary to be built. This (i.e., the fact that they are now commanded to erect the sanctuary in the desert) is an indication of the Blessed One's love for Israel (He could not "wait," as it were, to dwell among them)] (*Kethuvoth* 62b).<sup>6</sup>

And let them make for Me a sanctuary - And it is written (9): "According to all that I show you: the form of the *tabernacle*, and the form of all its vessels — thus shall you do." This teaches us that the tabernacle [*mishkan*] is referred to as the "sanctuary" [*mikdash*] (*Shevuoth* 16b).<sup>7</sup>

And let them make for Me a sanctuary - It was taught: The artisans [of the sanctuary] receive what is consecrated for Temple maintenance as their pay. Whence is this derived? R. Elazar said: From: "And let them make for Me a sanctuary" — [their work to be paid for] from what is Mine (*Temurah* 31a).<sup>8</sup>

and I shall dwell in their midst - It was taught: R. Tarfon says: Great is labor, the Holy One Blessed be He not having reposed His Presence upon Israel until they had labored; as it is written: "And let them make for Me a sanctuary, and I shall dwell in their midst" (*Avoth d'R. Nathan* 11).<sup>9</sup>

25:9 According to all that I show you: the form of the tabernacle, and the form of all its vessels — thus shall you do.

**thus shall you do** - No addition is made to the city and to the *azaroth* [the Temple courts] without authorization of the king and the prophet, the *urim vetumim*, and the sanhedrin of seventy-one. Whence is this derived? R. Shimi b. Chiyya said: From: "According to all that I show you: the form of the tabernacle, and the form of all its vessels, thus shall you do" — for all generations (*Shevuoth* 15a).<sup>10</sup>

25:10 And they shall make an ark of *shittim* wood: two and one half ells, its length; one and a half ells, its breadth; and one and a half ells, its height.

**And they shall make an ark** - It was taught: Abba Chanan says in the name of R. Elazar: In one place it is written (*Deuteronomy* 10:1): "And *you* [Moses] shall make *yourself* an ark," and, in another: "And *they* shall make an ark"! How is this to be reconciled? The second is the case when Israel abide by the will of G-d; the first, when they do not [in which instance the making of the ark is attributed not to them, but to Moses] (*Yoma* 3b).<sup>11</sup>

**And they shall make an ark** - R. Yochanan asked: In one place it is written (*Deuteronomy* 10:1): "And *you* [Moses] shall make *yourself* an ark," and, in another: "And *they* shall make an ark"! From here it is derived that the labor required of a Torah scholar devolves upon the people of his city (*Ibid.* 72b).<sup>12</sup>

**two and one half ells, its length** - R. Mesharshia said: Whence is it derived that "all who add detract"? From: "Two [*amathaim*] and one

half ells, its length" [If not for the *addition* of the "a" in the beginning, it would read: "*mathaim*" (two hundred)] (*Sanhedrin* 29a).<sup>13</sup>

two and one half ells, its length, etc. - R. Yochanan said: An ell of six *tefachim* — whence it is derived that the length of the ark was fifteen *tefachim*; its width, nine; and its height, nine (*Yerushalmi Shekalim* 6:1).<sup>14</sup>

25:11 And you shall cover it with pure gold. From inside and from outside shall you cover it. And you shall make a rim of gold around it.

From inside and from outside shall you cover it - Rava said: From here it is derived that a Torah scholar whose inside is not like his outside is no Torah scholar (*Yoma* 72b).<sup>15</sup>

From inside and from outside shall you cover it - This teaches us that they made three compartments: two of gold and one of wood. They placed a golden one in the wooden one, and the wooden one in a golden one, thus covering it [the wooden one] and satisfying: "And you shall cover it with pure gold from inside and from outside." What is the intent of [the second] "shall you cover it"? To include its [the wooden compartment's] upper surface (*Yerushalmi Shekalim* 6:1).<sup>16</sup>

a rim of gold - R. Yochanan asked: It is written "*zar*" ["strange"] and pronounced "*zer*" ["a crown"]. If one merits it [i.e., if he is sincere in his Torah learning], Torah becomes a crown for him; if not, it becomes a stranger to him (*Yoma* 72b).<sup>17</sup>

25:15 In the rings of the ark shall be the poles; they shall not depart from it.

they shall not depart from it - R. Yossi b. R. Chanina asked: In one place it is written: "In the rings of the ark shall be the poles; they shall not depart from it," and, in another (14): "And you shall place the poles in the rings" [implying that they *do* depart from it!] How is this to be reconciled? They [are to be inserted in such a manner that] they hang loose [in the rings (being narrow in the middle)], but do not depart from them (being wide at one end)] (*Ibid.* a).<sup>18,19</sup>

they shall not depart from it - R. Elazar said: If one removes the poles of the ark, he receives stripes, it being written: "they shall not depart from it" (*Ibid.*).<sup>20</sup>

25:17 And you shall make a covering of pure gold: two and one half ells, its length, and an ell and a half, its width.

And you shall make a covering - R. Chanina taught: The Torah specified the dimensions (length, width, and height) of all the vessels [of the tabernacle]; in the case of the covering, however, it specified only its length and width, but not its height. The last is derived from the smallest of the objects, viz. (25): "And you shall make for it a border of a *tefach* roundabout." Just as there, a *tefach*; here, too, a *tefach* (*Succah* 5a).<sup>21</sup>

a covering of gold - Why of gold? R. Yossi b. R. Chanina said: Let the gold of the covering come and atone for the gold of the calf (*Yerushalmi Shekalim* 1:1).<sup>22</sup>

25:18 And you shall make two cherubs of gold. Of beaten work shall you make them, at the two ends of the covering.

two cherubs [keruvim] - What is signified by "*keruvim*"? R. Avahu said: "*keravia*" ["like *ravia*"], an infant in Babylonia being called "*ravia*" (*Chagigah* 13b).<sup>23</sup>

25:20 And the cherubs shall have their wings stretched out on high, over-spreading the covering with their wings. And their faces shall be towards each other. Towards the covering shall the faces of the cherubs be.

And their faces shall be towards each other - And in respect to Solomon's Temple it is written (*II Chronicles* 3:13): "And their [the cherubs'] faces shall be turned *inwards*." How is this to be reconciled? The first obtains when Israel abides by G-d's will; the second, when they do not (*Bava Bathra* 99a).<sup>24</sup>

25:22 And I will meet with you there, and I will speak with you from above the covering from between the two cherubs which are upon the ark of the testimony, all that I shall command you to the children of Israel.

**And I will meet with you there** - R. Yehudah b. Iddi said in the name of R. Yochanan: This marks one of the [ten] "journeys" [successive removals from closeness to Israel] taken by the Shechinah [the Divine Presence], viz., from the covering to the cherub; it being written here: "And I will meet with you there, and I will speak with you from above the covering," and, elsewhere (II *Samuel* 22:11): "And He rode upon a cherub and flew" (*Rosh Hashanah* 31a).<sup>25</sup>

**And I will meet with you there** - It was taught: The ark was nine [*tefachim* high], and the covering, an additional *tefach*, making the total height ten *tefachim*. And it is written: "And I will meet with you there," in which respect it was taught: R. Yossi says: The Shechinah never descended below [ten *tefachim* — whence it is derived that beyond ten *tefachim* a new domain is demarcated] (*Succah* 5a).<sup>26</sup>

**And I will meet with you there** - It was taught: The ark was nine [*tefachim* high], and the covering, an addition *tefach*, making the total height ten *tefachim*. And in respect to [the Temple of] Solomon it is written (I *Kings* 6:2): "And the house which King Solomon built to the L-rd: sixty ells, its length; twenty, its breadth; and thirty ells, its height." But at the end it is written (*Isaiah* 66:1): "Thus says the L-rd: The heavens are My throne ... Where is the house that you would build for Me?" [i.e., The Temple will not contain Me (although the ark did!)]. This is as people say: "When our love was strong, we could have lain together on the edge of a sword; now, that it is not strong, a bed of sixty ells does not suffice for us!" (*Sanhedrin* 7a).<sup>27</sup>

**from above the covering** - It was taught: Whence is it derived that beyond ten *tefachim* a new domain begins? R. Avahu said in the name of R. Shimon b. Lakish: In one place it is written: "And I will meet with you there, and I will speak with you from above the covering," and, in another (20:19): "You have seen that from the heavens have I spoken with you." Just as the speaking there is from a distinct domain, the speaking here, too, is [regarded as emanating from] a distinct domain (*Yerushalmi Shabbath* 1:1).<sup>28</sup>

25:29 And you shall make its [the table's] *ka'aroth*, *kapoth*, *kesoth*, and *menakioth*, which shall be covered with them; of pure gold shall you make them.

And you shall make its *ka'aroth*, etc. - *ka'aroth* — these are the cake-moulds; *kapoth* — these are the incense vessels; *kesoth* — these are the attachments [to the table; four fork-shaped attachments to support the loaves]; *menakioth* — these are the staves [between the show-bread]; “which shall be covered with them” — i.e., by which the loaves shall be covered [and thus protected] (*Menachoth* 97a).<sup>29-33</sup>

25:30 And you shall place upon the table show-bread before Me always.

show-bread [*lechem panim*] - Ben Zoma says: “*lechem panim*” — it must have *panim* [i.e., (four) corners] (*Ibid.* 97a).<sup>34</sup>

before Me always - That is why they would say on the festival: “Be careful not to touch the table”; for it cannot be immersed [if it becomes unclean. [Such immersion would necessitate the removal of the show-bread, which is ruled out by “before Me always”] (*Chagigah* 26b).<sup>35</sup>

before Me always - Before the old bread was removed from the table, the priests placed the new bread upon it, the hand of one [the remover] meeting that of the other [the placer], it being written: “show-bread before Me always” (*Menachoth* 99b).<sup>36</sup>

before Me always - It was asked before R. Illa: If there were no bread available [with which to replace the old show-bread], could it be left there for the next week? He answered: It is written: “And you shall place upon the table ... before Me always” — even if it is unfit [as in the above query (it is to be left there if no replacement is available)] (*Yerushalmi Shekalim* 6:3).<sup>37</sup>

25:31 And you shall make a *menorah* [a candelabrum] of pure gold. Of beaten work shall the *menorah* be made. Its shaft and its branches, its bowls, its bulbs, and its flowers, shall be of [a piece with] it.

**And you shall make a menorah of gold** - It was taught: Rabbi ruled unfit ministering vessels made of wood. Why so? He derives it through the "general-specific" principle, viz.: "And you shall make a *menorah*" — this is "general"; "of pure gold" — this is "specific"; "of beaten work shall the *menorah* be made" — this is a reversion to the "general" [giving us, in sum,] "general-specific-general," in which case the ruling follows the nature of the specific, i.e., just as the specific denominates a metal, so all [ministering vessels] must be of metal (*Menachoth* 28b).<sup>38</sup>

**of beaten work shall the menorah be made** - The Rabbis taught: The *menorah* was made of a [single] bar and of gold. If it were made of fragments, it is unfit, it being written: "Of [one bar of] beaten work" and: "shall be" [connoting a categorical requirement]. If it were made of other metals, it is fit, it being written: "shall be made" — connoting the inclusion of other types of metals (*Ibid.* a).<sup>39</sup>

**its bowls, its bulbs, and its flowers** - It was taught: If it were made of gold, it was made with bowls, bulbs, and flowers; if it were not made of gold, it was not made with bowls, bulbs, and flowers (*Ibid.* 28a).<sup>40</sup>

**its bowls, its bulbs, and its flowers** - It was taught: How many cups were there? Twenty-two: four of its own [i.e., of the central shaft] and eighteen for the six branches. How many bulbs were there? Eleven: two of its own, six for the branches, and a bulb, a bulb, and a bulb [i.e., a bulb under each two branches]. There were nine flowers: two of its own, six for the branches, and it is written (*Numbers* 8:4): "From its shaft until its *flower* it was beaten work" [an additional flower hereby being intimated] (*Ibid.* b).<sup>41,42</sup>

**25:34 And in the menorah there were four bowls, of beaten work, its bulbs and its flowers.**

**of beaten work** - It was taught: Issi b. Yehudah says: This is one of the five ambiguous verses [i.e., "four bowls of beaten work," or "of beaten work, its bulbs and its flowers"?] (*Yoma* 52b).<sup>43</sup>

**25:36 Their bulbs and their branches of it [the same bar] shall be; all one piece of beaten work, pure gold.**

of it shall be - The seven branches of the *menorah* are mutually indispensable [i.e., the absence of one invalidates the others]; its seven lamps are mutually indispensable. Whence is this derived? From "shall be" [connoting categorical requirement] (*Menachoth* 28a).<sup>44</sup>

25:39 A talent of pure gold shall he make it, all of these vessels.

**A talent of gold** - It was taught: If it were of gold, it had to be a talent; if it were not of gold, it did not have to be a talent (*Ibid.*).<sup>45</sup>

**A talent of gold, etc.** - It was taught: "A talent of pure gold shall he make it": This teaches us that the *menorah* itself must be a talent. Whence is it derived that its lamps are included [in the same talent]? From: "all of these vessels." I might think that this also included its tongs and its ashpens; it is, therefore, written: "*it*" [excluding the others] (*Ibid.* 88b).<sup>46</sup>

25:40 And look, and make them in their form, which was shown to you in the mountain.

**which was shown to you in the mountain** - It was taught: R. Yossi b. R. Yehudah says: An ark of fire, a table of fire, and a *menorah* of fire descended from heaven, and Moses observed and wrought in their form, as it is written: "And look, and make them in their form, which was shown to you in the mountain" (*Ibid.* 29a).<sup>47</sup>

26:1 And the tabernacle shall you make with ten curtains: twisted linen, and blue [wool] and purple and scarlet; cherubs of artistic work shall you make them.

**twisted linen [shesh mashezor]** - It was taught: Anything that comes from a tree does not produce tent-uncleanliness except flax. Whence is this derived? R. Elazar said: We derive it from what is stated in respect to the tabernacle, viz.: "And the tabernacle shall you make of ten curtains of twisted *shesh*," and it is written (*Ezekiel* 44:18): "Turbans of flax shall be upon their heads." It is derived: "flax" from "flax," "flax" from "turbans," and "turbans" from "turbans" [i.e., Progressive

linkages in a series of verses reveal to us that *shesh* and flax are one and the same and that flax alone [of tree derivatives] produces tent-uncleanliness (*Yerushalmi Shabbath* 2:3).<sup>1-3</sup>

**of artistic work** - And it is written (36): “embroidered work.” R. Elazar said [in reconciliation]: It is embroidered in the place of the artistry (*Yoma* 72b).<sup>4</sup>

**of artistic work** - It was taught in the name of R. Nechemiah: What is “artistic work”? Woven work, demanding two figures [one on each side of the curtain] (*Ibid.*).<sup>5</sup>

**of artistic work** - It was taught: R. Yehudah and R. Nechemiah differ on this, one saying: “artistic work” — a lion on one side and a lion on the other; the other saying: a lion on one side and an eagle on the other (*Yerushalmi Shekalim* 8:2).<sup>6</sup>

26:2 The length of one curtain shall be twenty-eight cubits, and the breadth of one curtain, four cubits; one measure for all of the curtains.

**The length of one curtain** - Where do we find the labor of “tying” [one of the labors forbidden on Sabbath, derived from the labors performed in the tabernacle]? R. Yossi b. Chanina said: We derive it from the weaving of the curtains. How so? “The length of one curtain”: it must be all of one piece; if it tore, it was tied (*Yerushalmi Shabbath* 7:2).<sup>7,8</sup>

**twenty-eight cubits** - How much was the length [of the curtains] against the breadth of the *mishkan* [the tabernacle]? Twenty-eight. Subtract ten for the body of the *mishkan*. This leaves nine cubits on one side and nine on the other, the cubit of the base remaining uncovered (*Shabbath* 98b).<sup>9,10</sup>

26:7 And you shall make curtains of goats’ hair to be a tent on the tabernacle; eleven curtains shall you make them.

**eleven [ashtei esreh]** - R. Ashi said: Whence is it derived that “all who add detract”? From: “*ashtei esreh*” [If not for the addition of the “a,” it would read: “*shteim esreh*” (twelve)] (*Sanhedrin* 29a).<sup>11</sup>

26:8 The length of one curtain shall be thirty cubits, and the breadth of one curtain, four cubits; one measure for the eleven curtains.

**thirty cubits** - How much was the length of the curtains against the breadth of the *mishkan*? Thirty. Subtract ten for the body of the *mishkan*. This leaves ten cubits on one side and ten on the other, the cubit of the frame being covered (*Shabbath* 98b).<sup>12</sup>

26:14 And you shall make a covering for the tent, skins of rams dyed red, and a covering of *tachash* skins above.

**And you shall make a covering** - It was taught: R. Yehudah says: There were two coverings [and not one covering of two types of skins], one of ram-skin dyed red; the other, of *tachash* skin (*Ibid.* a).<sup>13</sup>

26:15 And you shall make boards for the tabernacle, standing shittim wood.

**boards for the tabernacle** - ["Tent-uncleanliness" obtains only in a tent of woven cloth or of hide, but not in one of boards. Why so?] It is written: "And you shall make boards for the tabernacle." The tabernacle is called a tabernacle [and the tabernacle is called a tent], but boards are not called a tent (*Ibid.*).<sup>14,15</sup>

**standing shittim wood** - What is the intent of "standing"? They "stand" [i.e., preserve] their covering [of gold]. Another interpretation: Lest you say: "All hope is lost for them" [i.e., Now that they have been secreted, it is as if they have been lost from the earth], it is, therefore, written: "standing" — they — "stand" [in their force] for ever and ever (*Succah* 45b).<sup>16,17</sup>

**standing shittim wood** - Chezkiyah said: R. Yirmiah said in the name of R Shimon b. Yochai: A man has not fulfilled his obligation in respect to all *mitzvot* [of this kind] unless he performs them, [handling them, e.g., *lulav*, *hadass*,] in the direction of their growth, as it is written: "standing shittim wood" — standing in the direction of their growth (*Succah* 45b).<sup>18</sup>

26:23 And two boards shall you make for the corners of the tabernacle at the edges.

**And two boards, etc.** - Now since the width of the boards was a cubit, and they terminated above in the width of a finger [see below], would not these [corner boards] project beyond them? [This was not the case, for] they were slanted [and came to a point] like the sides of a mountain (*Shabbath* 98b).<sup>19-21</sup>

26:24 And they shall be coupled beneath, and together shall they be coupled at its head into one ring. And so shall it be for both of them; for the two corners shall it be thus.

**And they shall be coupled beneath** - The Rabbis taught: The width of the boards was a cubit, and they terminated above in the width of a finger, it being written: "and together shall they be coupled [*toamim*] at its head," and, elsewhere (*Joshua* 3:16): "*tamu* [similar to "*toamim*"] cut-off" ["terminated"]. And what is the intent of "together"? That they not overlap each other [but be level on top] (*Ibid.*).<sup>22,23</sup>

26:28 And the middle bar in the midst of the boards shall span from end to end.

**And the middle bar** - It was taught: It stood thus miraculously (*Ibid.*).<sup>24</sup>

26:30 And you shall set up the tabernacle according to its judgment as you were shown in the mountain.

**the tabernacle according to its judgment** - Now is there a judgment for wood! The intent is that a board which was originally placed in the north was always to be placed in the north; if in the south, it was always to be placed in the south (*Yerushalmi Shabbath* 12:3).<sup>25</sup>

26:33 And you shall place the veil beneath the clasps, and you shall bring in there within the veil the ark of the testimony.

And the veil shall divide for you between the holy and the holy of holies.

**And the veil shall divide** - One veil. This was the case in the *mishkan*; but in the second Temple, where there was no cubit-partition of cedar, and the sages were undecided as to whether that cubit pertained to the inner [the holy of holies] or the outer [the holy], they made two veils [between the two, with a cubit's space in between] (*Yoma* 51b).<sup>26</sup>

**between the holy** - From here it is derived that the entire sanctuary was called "holy" (*Menachoth* 27b).<sup>27</sup>

26:35 And you shall place the table outside the veil, and the *menorah* opposite the table on the side of the tabernacle toward the south; and the table shall you place on the north side.

**the menorah opposite the table** - It was taught: The table in the north was separated from the wall by two and a half cubits. And the *menorah* in the south was separated from the wall by two and a half cubits. And the altar was placed in the middle and projected slightly outward. Why could they not be set up adjoining each other? Since it is written: "and the *menorah* opposite the table," it was necessary that they face each other (*Yoma* 33b).<sup>28,29</sup>

26:36 And you shall make a curtain for the door of the tent, of blue [wool] and purple, and scarlet, and fine twined linen, embroidered work.

**embroidered work** - And it is written (1): "artistic work." R. Elazar said [in reconciliation]: It is embroidered in the place of the artistry (*Ibid.* 72b).<sup>30</sup>

**embroidered work** - It was taught in the name of R. Nechemiah: What is "embroidered work"? Needle work, resulting in one figure (*Ibid.*).<sup>31</sup>

**embroidered work** - It was taught: R. Yehudah and R. Nechemiah differ on this, one saying: "embroidered work" — a lion on one side

and smooth [i.e., no figure] on the other; the other saying: a lion on one side and a lion on the other (*Yerushalmi Shekalim* 8:2).<sup>32</sup>

27:1 And you shall make the altar of *shittim* wood, five cubits in length and five cubits in width, *ravua* shall the altar be, and three cubits in height.

*ravua* shall it be - It was taught there: The ramp of the altar was on the south side, it being written (*Leviticus* 1:11): "And he shall slaughter it on the side of the altar northward" — the "side" in the north, and his face in the south. But perhaps the intent is: the side in the north and his face in the north! Rava said [This is not so, for it is construed according to] a man lying down on his face [in which case his feet are in the north and his head in the south]. But perhaps [it is to be construed according to] a man set upright [in which case both would be in the north]! [This is not so, for] it is written "*ravua*" [which can be understood as "lying down"]] (*Zevachim* 62).<sup>1-4</sup>

*ravua* shall the altar be - The Rabbis taught: The quadrangularity of the altar is a categorical requirement for its validity. Whence is this derived? R. Huna said: From: "*ravua*" [which can be understood as "quadrangular"]] shall the altar be"; and wherever "the altar" is written, a categorical requirement is connoted (*Ibid.* a).<sup>5</sup>

and three cubits in height - It was taught: R. Yossi says: It is written here: "*ravua*," and, in respect to the inner altar: "*ravua*." Just as there, its height is twice its length, here; too, the height is twice the length. How then, is "and three cubits in height" to be understood? From the edge of the gallery [which was attached to the altar] upwards (*Ibid.* 59b).<sup>6,7</sup>

27:5 And you shall place it under the rim of the altar beneath; and the net shall reach to the middle of the altar.

the rim of the altar - The Rabbis taught: What is the "rim"? Between one corner [of the altar] and another, and an additional cubit for walking space for the priests. But is it not written (38:4): "under its rim, from the bottom until its middle" [i.e., the middle of the altar. How,

then, can it be stated here that the rim was on top of the altar?] R. Nachman b. Yitzchak said: There were two rims, one [in the middle of the altar] for decoration, and the other [on top] to keep the priests from slipping (*Zevachim* 62a).<sup>8-10</sup>

**to the middle of the altar** - It was taught there: A scarlet thread was tied around the altar in the middle to distinguish between the upper blood [that of a sin-offering and a burnt-offering of fowl] and the lower blood [that of a sin-offering of fowl], as it is written: "and the net shall reach to the middle of the altar." The Torah provided for a partition to distinguish between the upper blood and the lower blood (*Ibid.* 53a).<sup>11,12</sup>

**to the middle of the altar** - From here ["*the* altar," i.e., that of the *mishkan*] it is derived that there is no such blood partition in a *bamah* [an improvised, non-Temple, altar] (*Ibid.* 119b).<sup>13</sup>

27:8 Hollow with boards shall you make it; as it was shown to you in the mountain, so shall they make it.

**Hollow with boards** - R. Avdimi of Haifa said: Before a man eats and drinks he has two hearts [i.e., his mind is not settled], as it is written (*Job* 11:12): "The man *navuv yilavev*" [the terminal "*ev*" in "*yilavev*" connoting a second heart ("*lev*" itself being one heart)] And it is written: "*nevuv luchos*," which is translated as "*hollow with boards*" [so that "The man *navuv*" (above) becomes "The *hollow* man," i.e., the man who has not eaten] (*Bava Bathra* 12b).<sup>14,15</sup>

27:11 And so, for the north side in length, hangings one hundred cubits long, and its pillars twenty, and their twenty sockets of brass, the hooks of the pillars and their joints of silver.

**the hooks of the pillars** [*vavei ha'amudim*] - It was taught: R. Shimon b. Elazar says: The Hebrew script never changed, as it is written: "the hooks of the pillars" [*vavei ha'amudim*]. Just as the pillars never changed, so the hooks [in the shape of the Hebrew letter *vav*] never changed (*Sanhedrin* 22a).<sup>16</sup>

27:18 The length of the court shall be one hundred cubits, and its width, fifty by fifty, and the height, five cubits of fine twisted linen, and their sockets of brass.

**The length of the court** - If one sells a court, he sells the houses, holes, pits, and caves therein, this being derived from "the court" of the *mishkan* [it being written: "The length of the court shall be one hundred cubits, and its width, fifty by fifty" (and, contained within this space are the holy of holies and the tent of meeting, comparable to "houses" in this regard)] (*Bava Bathra*).<sup>17</sup>

**and its width, fifty by fifty** - How is "*sa'athaim*" [a certain measure] estimated? As with the court of the *mishkan*, in respect to which it is written: "and its width, fifty by fifty" [the "by fifty" obviously being problematic]. The Torah is hereby instructing us to take fifty [from its length] and apportion the remaining fifty around this area (*Eruvin* 23b).<sup>18</sup>

**and its width, fifty by fifty** - How is "fifty by fifty" to be understood? [It is obviously problematic.] Abbaye said: [The meaning is] Set up the *mishkan* at the edge of the fifty cubits [where the court terminates at the eastern entrance] so that there are fifty cubits before it and twenty on each side (*Ibid.*).<sup>19,20</sup>

**and its width, fifty by fifty** - It was taught: The two thousand cubit limit in respect to [authorized domains on] the Sabbath is measured only with a fifty-cubit cord, it being written: "The length of the court shall be one hundred cubits, and its width, fifty by fifty" [The latter is obviously problematic.] The Torah is hereby instructing us to measure with a fifty-cubit cord (*Ibid.* 58a).<sup>21</sup>

## Tetzaveh

27:20 And you, command the children of Israel, and let them take for you pure olive oil, crushed for the light, to raise a flame always.

**and let them take for you** - R. Shmuel b. Nachmani said: “for *you*,” and not for *Me*”; I do not need its light (*Menachoth* 86b).<sup>22</sup>

**olive oil** - It was taught: One who sees olive oil in a dream may look forward [to attaining] the light of Torah, as it is written: “and let them take for *you* pure olive oil” (*Berachoth* 57a).<sup>23</sup>

**zach katith** - “*zach*” is “pure”; “*katith*,” “crushed” (*Menachoth* 86b).<sup>24,25</sup>

**pure olive oil, crushed for the light** - I might think that all of the meal-offerings required pure olive oil; it is, therefore, written: “pure, crushed for the *light*; it need not be “pure, crushed” for the meal-offerings (*Ibid.* a).<sup>26</sup>

**pure, crushed for the light** - If “for the light” [i.e., If “for the light” were regarded as categorical], I would think that pure, crushed oil were unfit for meal-offerings; it is, therefore, written [in respect to meal-offerings] (29:40): “and a tenth measure of flour, mixed with *crushed* oil. If so, why is “for the *light*” written? For the Torah is solicitous of the money of Israel [and so requires this more expensive oil only for the light, but not for meal-offerings] (*Ibid.* b).<sup>27</sup>

**to raise a flame** - It was taught by Rammi b. Chamma; The [aforementioned] wicks and oils enumerated by the sages are not used for lighting for the Sabbath and in the sanctuary, so that the flame may rise of itself and not through some other means [such as manual manipulation, which is required by the wicks and oils in question], it

being written: “to raise a flame” [connoting “of itself”] (*Shabbath* 21a).<sup>28</sup>

**to raise a flame** - R. Shmuel b. R. Yitzchak said: “to raise a flame always” — It was determined that only [a wick of] flax raises a flame [of itself (see above)] (*Yerushalmi Succah* 5:3).<sup>29</sup>

**to raise a flame always** - “always” — even on the Sabbath; “always” — even in a state of uncleanness (*Torath Cohanim, Emor*).<sup>30</sup>

27:21 In the tent of meeting, outside the veil, which is before the Testimony, shall Aaron and his sons order it, from evening until morning, before the L-rd, a statute forever throughout their generations on behalf of the children of Israel.

**from evening until morning** - There is no Temple service other than this [the kindling of the *menorah*] which is permitted from evening until morning [i.e., After the kindling of the *menorah*, no service is permitted until morning]. Why so? For it is written: “shall Aaron and his sons order it” — “it” from evening until morning, and no other service from evening until morning (*Pesachim* 59a).<sup>31</sup>

**from evening until morning** - The Rabbis taught: “from evening until morning” — Give it its proper measure [of oil] so that it will burn from evening until morning. How much is that? Three and a half *logs*, a half *log* for each lamp (*Menachoth* 89a).<sup>32</sup>

28:5 And they shall take gold, and blue, and purple, and scarlet, and fine linen.

**And they shall take** - The Rabbis taught: Authority is not asserted over the populace with fewer than two. Whence is this derived? R. Nachman said: From: “And *they* shall take gold” [the minimum of “they” being two] (*Bava Bathra* 8b).<sup>1</sup>

28:10 Six of their names on one stone, and the names of the

remaining six on the second stone according to their birth.

**Six of their names, etc.** - It was taught: Two precious stones reposed on the shoulders of the high priest, upon which were written the names of the twelve tribes, six on one stone, and six on the other, as it is written: "Six of their names on one stone, and the names of the remaining six on the second stone" (*Sotah* 36a).<sup>2</sup>

**according to their birth** - "on the *second* stone, according to their birth," but not on the first stone; for there the name of Judah was written first [by virtue of his being the precursor of royalty] (*Ibid.*).<sup>3</sup>

28:11 The work of an engraver in stone, engraved as a signet, shall you engrave the two stones, with the names of the children of Israel; in fixtures of gold shall you make them.

**engraved as a signet** - It was taught: These stones are not written over in ink, it being written: "*engraved* as a signet"; but they are written upon with ink and exposed to a *shamir* [a sharp cutting device] on the outside, whereupon they split of themselves (*Ibid.* 48b).<sup>4</sup>

28:15 And you shall make a breastplate of judgment, the work of an artist; as the work of the *ephod* shall you make it: of gold, of blue, of purple, and of scarlet, and of fine twisted linen shall you make it.

**And you shall make a breastplate of judgement, etc.** - The Rabbis taught: The threads of the *ephod* and the breastplate were twenty-eight fold, as it is written: "And you shall make a breastplate of judgment ... of gold, of blue, of purple, and of scarlet, and of fine twisted linen [*shesh*]" — four varieties of linen [*"shesh"* (which itself means six)], giving twenty-four, and four varieties of gold, giving a total of twenty-eight (*Yoma* 72a).<sup>5</sup>

**as the work of the ephod shall you make it** - It was taught: R. Yehudah said: I might think that just as this [the *ephod*] was doubled, so the breastplate was to be doubled; it is, therefore, written: "of gold, of blue, of purple, and of scarlet, and of fine twisted linen" — I have likened it

[to the *ephod*] only with respect to these, but not with respect to doubling (*Torath Cohanim, Vayikra*).<sup>6</sup>

28:20 And the fourth row, an emerald, and a shoham, and a jade; they shall be set in gold in their fulness.

in their fulness - It was taught: These stones were not etched with a knife, it being written: "in their fulness" [see (4) above] (*Sotah* 48b).<sup>7</sup>

28:28 And they shall bind the breastplate by its rings to the rings of the *ephod* with a lace of blue, that it may be above the finely wrought girdle of the *ephod*; and the breastplate shall not be dislodged from the *ephod*.

and the breastplate shall not be dislodged - R. Elazar said: If one dislodges the breastplate from the *ephod*, he receives stripes, it being written: "and the breastplate shall not be dislodged from the *ephod*" (*Yoma* 72a).<sup>8</sup>

28:30 And you shall place upon the breastplate of judgment the *urim* and *tumim*. And they shall be upon the heart of Aaron when he comes before the L-rd. And Aaron shall bear the judgment of the children of Israel upon his heart before the L-rd always.

the *urim* and the *tumim* - It was taught: Why are they called *urim* and *tumim*? "*Urim*" — because their words *shine* forth; "*tumim*" — because they "*complete*" [i.e., fulfill] their words (*Ibid.* 73b).<sup>9</sup>

the *urim* and the *tumim* - It was taught: Why are they called "*urim* and *tumim*"? "*Urim*" — because they *light* the way for Israel: "*tumim*" — because they make the way "*whole*" before them. For when Israel were "*whole*" [i.e., upright], the *urim vetumim* would direct them along the proper path (*Yerushalmi Yoma* 7:3).<sup>10</sup>

28:31 And you shall make the robe of the *ephod* completely of blue.

**completely of blue** - The Rabbis taught: The threads of the robe were twelve-fold, it being written: "And you shall make the robe of the *ephod* completely of blue"; and it is derived: "blue" - "blue" from [what is stated in respect to the veil.] Just as there, it is six-fold, here, too; [and it is written: "completely" (connoting a double twist)] (*Yoma* 71b).<sup>11</sup>

**completely of blue** - How is the blue dyed? Blood of the *chilazon* snail is brought, along with coloring agents, and they are cast into the vat and boiled. A little is then taken on an egg and applied to a piece of hide, after which the egg is disposed of and the hide burned. What is left of the testing sample is unfit [to be returned to the vat], it being written: "**completely** blue" [at the outset, and not found to be so only after testing] (*Menachoth* 42b).<sup>12</sup>

28:32 And there shall be a hole for the head in the midst of it. It shall have a binding of woven work around the hole, as in a suit of armor; it shall not be torn.

**of woven work** - The Rabbis taught: [The sleeves of the priestly garments] are not done by needle, but are woven, it being written: "of woven work" (*Yoma* 72b).<sup>13</sup>

**it shall not be torn** - Rachva said in the name of R. Yehudah: If one tears the priestly garments, he receives stripes, it being written: "it shall not be torn" (*Ibid.* a).<sup>14</sup>

**it shall not be torn** - Resh Lakish said: If the robe became [ritually] unclean, it is brought [into the *azarah* in sections of] less than three by three, and it is washed; [for it is forbidden to tear it (to render it permissible for entry by thus divesting it of its status of "garment")], it being written: "it shall not be torn" (*Zevachim* 95a).<sup>15</sup>

28:35 And it shall be upon Aaron when he ministers. And its sound shall be heard when he comes into the holy place

before the L-rd, and when he comes out, and he shall not die.

**And its sound shall be heard when he comes** - It was taught: R. Simon says in the name of R. Yonathan: "And it shall be upon Aaron when he ministers. And its sound shall be heard when he comes into the holy place" - Let the sound [of this bell] come, and atone for the "sound" of one who slanders. (*Yerushalmi Yoma* 7:3).<sup>16</sup>

28:36 And you shall make a plate of pure gold, and you shall engrave upon it as the engravings of a signet, holy to the L-rd.

**holy to the L-rd** - It was taught: The *tzitz* was like a plate of gold, two fingers wide and stretching from ear to ear. On it there was inscribed: "*yod-keh*" ["the L-rd"] above, and: "holy to" below. R. Elazar b. R. Yossi said: I saw it in Rome, and it was inscribed: "holy to the L-rd" in one line (*Shabbath* 63b).<sup>17,18</sup>

28:37 And you shall place it on a blue lace, and it shall be upon the mitre; upon the forefront of the mitre shall it be.

**on a blue lace** - It was taught: A woolen cap was placed upon the head of the high-priest, and, upon it, the *tzitz*, in fulfillment of: "And you shall place it on a blue lace" (*Chullin* 138a).<sup>19</sup>

28:38 And it shall be upon the forehead of Aaron, and Aaron shall bear the sin of the holy things, which the children of Israel shall consecrate, in all the gifts of their consecrations. And it shall be on his forehead always, for favor for them before the L-rd.

**upon the forehead of Aaron, and he shall bear** - From here R. Yehudah deduced: So long as the *tzitz* was on his forehead, it atoned; if it were not on his forehead, it did not atone (*Yoma* 7b).<sup>20</sup>

**and Aaron shall bear the sin** - Which sin does the *tzitz* pardon? If that

of *piggul* [abuse of offerings], it is stated in that regard (*Leviticus* 7:18): “It [the offering] shall not be credited to him.” If that of *nothar* [left-over offerings], it is stated in that regard (*Ibid.*): “It shall not be accepted.” If that of “departure” [of the offering from its authorized precincts], it is written here: “for favor before the L-rd” — it pardons only a sin in respect to what is “before the L-rd,” but not in respect to what has departed. If that of [sacrificing with] the left hand, it is written here: “And Aaron shall bear the sin of the holy *things*,” and not that of the consecrators. If that of [an offering with] a blemish, it is written in that regard (*Ibid.* 22:23): “It shall not be accepted”; (20): “It shall not be acceptable for you.” It must pardon, then, only the sin of offerings brought in a state of uncleanness (*Menachoth* 25a).<sup>21-23</sup>

**And it shall be on his forehead** - “on his forehead” — this teaches us that he must designate a specific area for it (*Ibid.* 8a).<sup>24</sup>

**And it shall be on his forehead** - [It must be intact, and not broken] (*Ibid.*).<sup>25</sup>

**on his forehead always** - He must not take his mind off it (*Ibid.* 7b).<sup>26</sup>

**for favor for them** - “for favor,” and not for harm; “for favor for *them*” [Israel]; for *others*, even for harm (*Yevamoth* 60b).<sup>27</sup>

**for favor for them** - The Rabbis taught: If blood [of an offering] became unclean and was sprinkled; if unwittingly, it is pardoned [by the *tzitz*]; and if [the offering were] that of a gentile, even unwittingly, it is not pardoned. Why so? For it is written: “for favor for *them*” [Israel]; gentiles are not subject to “favor” (*Zevachim* 45b).<sup>28,29</sup>

**28:40 And for the sons of Aaron shall you make coats. And you shall make for them girdles. And turbans shall you make for them for honor and for glory.**

**shall you make coats** - The Rabbis taught: “And for the sons of Aaron shall you make coats” — two coats for each one (*Yerushalmi Yoma* 3:1).<sup>30</sup>

28:42 And make for them breeches of linen to cover the flesh of nakedness; from loins to thighs shall they reach.

**breeches of linen [bad]** - The Rabbis taught: "*bad*" — they must be of *butz*" [linen]; "*bad*" — they must be new [as they were in the *badim*" (stalks) of flax]; "*bad*" — their threads must be six-fold [*bad* being the same as *shesh mashezar* (see commentary 5 above)]; "*bad*" — he must not wear any non-consecrated garments along with them ["*bad*" connoting "alone"] (*Zevachim* 18b).<sup>31-33</sup>

**breeches of linen, etc.** - It was taught: What were the breeches of the priests like? They were like the knee-breeches of horsemen, from the hips above to the thighs below, and having straps, but no rectal or genital apertures (*Niddah* 13b).<sup>34,35</sup>

28:43 And they shall be upon Aaron and upon his sons when they come to the tent of meeting, or when they come near to the altar to minister in the holy place, that they not bear iniquity and die, a statute forever, to him and to his seed after him.

**when they come** - He must come entirely into the tent of meeting [in order for his service to be valid] (*Zevachim* 26a).<sup>36</sup>

**to minister in the holy place** - There are no vestments of ministration for *bamah* [temporary altar] service, it being written: "to minister in the holy place" (*Ibid.* 119b).<sup>37</sup>

29:1 And this is the thing that you shall do to them to consecrate them to be priests unto Me: Take one young bullock and two lambs without blemish.

**And this is the thing** - R. Yossi b. Chanina said: [How is it that] breeches are not mentioned in this section [of the investiture of the priests]? "*And this is the thing that you shall do to them*" includes the breeches [previously mentioned (28:42)] and the tenth of the *ephah* [of fine flour brought by the priests on the day of their investiture]. The inclusion of breeches stands to reason, their being mentioned in the

[preceding] section on the priestly garments; but whence is the tenth of the *ephah* derived? It is derived: "this" [here] - "this," in (*Leviticus* 6:13): "*This* is the offering of Aaron and his sons, which they shall offer to the L-rd ... a tenth of an *ephah*" (*Yoma* 5b).<sup>1-3</sup>

And this is the thing - R. Anani b. Sasson said: Why is the section on offerings juxtaposed with that on the priestly garments? To teach that just as the sacrifices atone, so do the priestly garments atone. The coat atones for the spilling of blood, as it is written (*Genesis* 37:31): "And they slaughtered a kid of goats, and they dipped the coat [Joseph's] in blood." The breeches atone for illicit relations, as it is written (28:452): "And make for them breeches of linen to cover the flesh of nakedness." The mitre atones for haughtiness of spirit — Let the high come and atone for the high. The belt atones for the [lewd] thoughts of the heart, being placed where it is [fronting the heart]. The breastplate atones for [miscarriage of] the law, as it is written (28:15): "And you shall make a breastplate of judgment." The *ephod* atones for idolatry, as it is written (*Hosea* 3:4): "There is no *ephod* and [as a result, there is the sin of] idolatry." The robe [to which the bells were attached] atones for slander. Let the "voiced" garment come and atone for the voice of evil. The [gold] plate atones for brazen-facedness, it being written in respect to the plate (28:38): "And it shall be on the forehead of Aaron," and, in respect to brazen-facedness (*Jeremiah* 3:3): "And you had the forehead of a harlot" (*Zevachim* 88b).<sup>4-9</sup>

29:6 And you shall place the mitre upon his head, and you shall put the holy crown upon the mitre.

And you shall place the mitre upon his head - It was taught: His hair was visible between the plate and the mitre, and there he placed [the headpiece of] his *tefillin* (*Ibid.* 19b).<sup>10</sup>

29:9 And you shall gird them with belts, Aaron and his sons; and you shall put turbans upon them. And it shall be for them priesthood, as an everlasting statute. And you shall invest Aaron and his sons.

**And you shall gird them with belts** - [which implies that first Aaron and then his sons are to be clothed to the point of donning the belt, after which the belt is to be placed first upon Aaron and then upon his sons]; but in respect to the actual investiture it is written (*Leviticus* 8:7): "And he girded him with the belt" [which implies that first all of the garments, including the belt were placed upon Aaron, after which the same procedure was followed with his sons]. How is this to be reconciled? The truth is that the [complete] investiture of Aaron precedes that of his sons. How, then, is: "And he girded him with the belt" to be understood? As teaching us that the belt of the high-priest and that of the regular priests was the same [i.e., made of *kilaim*, a mixture of wool and linen] (*Yoma* 6a).<sup>11,12</sup>

**And it shall be for them priesthood** - It was taught: The service of a priest who officiates when not attired in all of the priestly vestments is invalid, it being written: "And you shall gird them ... And it shall be for them priesthood as an everlasting statute." When their vestments are upon them, their priesthood is upon them; when their vestments are not upon them, their priesthood is not upon them (*Zevachim* 17b).<sup>13</sup>

**as an everlasting statute** - [It is written here: "statute," and, in respect to inebriation (*Leviticus* 10:9): "statute." Just as there, if the priest officiated (while inebriated), his service is invalid; so here, if he officiated when not fully invested, his service is invalid] (*Ibid.* 18a).<sup>14</sup>

**29:12 And you shall take of the blood of the bullock and place it on the corners of the altar with your finger; and you shall pour all of the blood at the base of the altar.**

**on the corners of the altar** - The Rabbis taught: The [service relating to the] corners of the altar is a categorical requirement. Whence is this derived? R. Huna said: From: "the corners of the altar." Wherever "*the* altar" is written, a categorical requirement is connoted (*Ibid.* 62a).<sup>15</sup>

**at the base of the altar** - The Rabbis taught: The [service relating to the] base of the altar is a categorical requirement. Whence is this derived? R. Huna said: From: "the base of the altar." Wherever "*the* altar" is written, a categorical requirement is connoted (*Ibid.* 62a).<sup>16</sup>

29:27 And you shall consecrate the breast of the lifting and the shoulder of the *terumah*, which is lifted and which is elevated of the ram of the consecration; of that which is for Aaron, and of that which is for his sons.

which is lifted and which is elevated - [This (i.e., what would otherwise be a redundancy) teaches us that he moves it away from himself and then towards himself (this being connoted by "lifted") and upwards and downwards (this being connoted by "elevated")] (*Menachoth* 61a).<sup>17</sup>

29:29 And the holy garments which are Aaron's shall be for his sons after him, to be anointed in them, and to be consecrated in them.

shall be for his sons after him - When Ravin came, R. Yochanan said: The clothes in which the high-priest officiates — in these clothes the priest anointed for war inquires of the *urim vethumim*, it being written: "And the holy garments which are Aaron's shall be for his sons *after him*" — for him who is next in greatness after him [i.e., the priest anointed for war] (*Yoma* 72b, 73a).<sup>18</sup>

29:30 Seven days shall he clothe himself in them, his son that is priest in his place, who comes to the tent of meeting to minister in the holy place.

Seven days shall he clothe himself in them - This tells us only of [the high-priest's] donning the additional [four] garments [over and above those of the regular priests] seven days. Whence do we derive that he is also anointed all seven days? From (29): "And the holy garments which are Aaron's shall be for his sons after him, to be anointed in them." Anointing is hereby being likened to the donning of the garments, viz., just as the additional garments are donned seven days, so the anointing is done seven days (*Ibid.* 5a).<sup>19</sup>

Seven days shall he clothe himself in them - This tells us [that his service is valid] only if he donned the additional garments all seven days

and was anointed all seven days. Whence do we derive [that it is valid] if he donned the additional garments seven days but was anointed only one day, or if he donned the additional garments one day and was anointed seven days? From (*Leviticus* 16:32): “And the priest shall atone, who shall be anointed and who shall be consecrated” — in any event [i.e., even for one day] (*Ibid.*).<sup>20</sup>

**who comes to the tent of meeting** - It was taught: I might think that the son of the priest anointed for war succeeds his father just as the son of the high-priest does; it is, therefore, written: “Seven days shall he clothe himself in them, his son that is priest in his place, who comes to the tent of meeting” — he who may come to the tent of meeting [i.e., the high-priest], to exclude him who may not come to the tent of meeting [i.e., the priest anointed for war] (*Ibid.* 73a).<sup>21</sup>

**29:32 And Aaron and his sons shall eat the flesh of the ram and the bread that is in the basket, by the door of the tent of meeting.**

**by the door of the tent of meeting** - [It is written here: “by the door,” and, in respect to the actual investiture (*Leviticus* 8:3): “by the door.” This teaches us that even something which is not mentioned in respect to the consecration (i.e., the placing of the *urim vethumim* upon the breastplate), but is mentioned in respect to the actual investiture, is a categorical requirement] (*Ibid.* 5b).<sup>22</sup>

**29:33 And they shall eat those things with which atonement was made, to consecrate them to sanctify them; and a stranger shall not eat, for they are holy.**

**And they shall eat those things with which atonement was made** - This teaches us that the priests eat, and the owners [of the offering] gain atonement (*Pesachim* 59b).<sup>23</sup>

**and a stranger shall not eat** - R. Gidal said in the name of Rav: If a stranger [i.e., a non-priest] ate of a sin-offering or of a guilt-offering before the sprinkling of the blood, he is not liable [for stripes on that account], it being written: “And they shall eat those things with which

atonement was made ... and a stranger shall not eat" — Wherever "And they shall eat those things" applies, "and a stranger shall not eat" applies; and wherever "And they shall eat those things" does not apply [as in the above instance, a priest, too, being forbidden to eat the meat before the blood has been sprinkled], "and a stranger shall not eat" does not apply (*Makkoth* 18b).<sup>24</sup>

29:34 And if there be left over the flesh of the consecration and of the bread until the morning, then you shall burn what is left over in fire; it shall not be eaten, for it is holy.

then you shall burn what is left over - [What is the intent of "what is left over"? To teach that only] "what is left over" is to be burned, and none of the other things forbidden by the Torah are to be burned (*Pesachim* 24a).<sup>25</sup>

for it is holy - It was taught: R. Eliezer says: "it shall not be eaten, for it is holy" — Scripture hereby makes subject to negative commandment the eating of all consecrated food that has become invalidated (*Ibid.*).<sup>26</sup>

29:35 And you shall do to Aaron and to his sons thus, according to all that I have commanded you; seven days shall you consecrate them.

And you shall do to Aaron and to his sons - The garments of Aaron's sons are hereby being likened to those of Aaron, viz., just as the garments [specifically, the belt,] of Aaron contain *kilaim* [an admixture of wool and linen], so, the garments of his sons contain *kilaim* (*Yerushalmi Yoma* 7:3).<sup>27</sup>

And you shall do to Aaron and to his sons thus - It was taught: R. Yochanan says: Everything mentioned in respect to the consecration is to be regarded as a categorical requirement. Why so? R. Yitzchak b. Bisna said: For it is written thereof: "And you shall do to Aaron and to his sons *thus*" — "*thus*" connotes a categorical requirement (*Yoma* 5a).<sup>28</sup>

29:37 Seven days shall you make atonement for the altar, and you shall consecrate it. And the altar shall be holy of holies; all that touches the altar shall become consecrated.

**all that touches the altar shall become consecrated** - I might think that this applies whether or not it [i.e., that which touches the altar] is appropriate [for sacrifice]; it is, therefore, written (42): "a burnt-offering" — Just as a burnt-offering is appropriate, so all [in order to be consecrated] must be appropriate (*Zevachim* 83b).<sup>29</sup>

**all that touches the altar** - This tells me only of the altar itself. Whence do I derive [for inclusion in this *halachah* the ramp [leading up to the altar]? From (*Exodus* 40:10): "And you shall consecrate *eth* the altar" ["*eth*" connoting whatever is attached to the altar]. Whence do I derive [for inclusion in this *halachah*] the ministering vessels? From (30:29): "All that touches them [the ministering vessels] shall become consecrated" (*Ibid.* 87a).<sup>30,31</sup>

29:38 And this is what you shall offer upon the altar: lambs of one year, two a day, continually.

**And this is what you shall offer** - It was taught: Some say that the laws of *shechitah* were difficult to Moses until the Holy One Blessed be He pointed them out to him "by the finger," as it is written: "And *this* is what you shall offer upon the altar" (*Menachoth* 29a).<sup>32</sup>

29:39-40 - See *Numbers*, *Pinchas*, beginning of the section on *temidim*

29:41 And the second lamb you shall offer towards evening. As the meal-offering of the morning and as its libation shall you offer it, a sweet savor, a fire-offering to the L-rd.

**And the second lamb** - The Rabbis taught: "And the second lamb you shall offer towards evening" — The *second* towards evening, and not the first towards evening, whence it is derived that if the lamb were not offered in the morning, it was not to be offered towards evening (*Menachoth* 3a).<sup>33</sup>

29:43 And I shall be appointed there for the children of Israel, and it shall be sanctified by My glory.

and it shall be sanctified by My glory - Read it not: "by My glory," but: "by My glorifiers." This was stated by the Holy One Blessed be He to Moses, and he did not know to whom it referred, until the death of the two sons of Aaron — at which time Moses said to Aaron: "Aaron, my brother, your sons died for no other reason than to sanctify the name of the Holy One Blessed be He" (*Zevachim* 115b).<sup>4</sup>

30:1 And you shall make an altar for the burning of incense; of *shittim* wood shall you make it.

And you shall make an altar [mizbeiach] - R. Elazar said: "*Mizbeiach*" [connotes acronymically]; *meziach* ["removing" (evil decrees)], *mezin* ["sustaining" (the world in the merit of its offerings)], *mechavev* ["making beloved" (the Jews to their Father in heaven)], *mechaper* ["atoning"] (*Kethuvoth* 10b).<sup>1</sup>

for the burning of incense - R. Shimon b. Lakish said: It is not written: "on which incense is burned," but "an altar burning incense," whence it is derived that the altar itself burned the incense [i.e., a fire descended from heaven to the altar and burned the incense] (*Yerushalmi Chagigah* 3:8).<sup>2</sup>

30:3 And you shall cover it with pure gold, its roof and its walls roundabout, and its corners, and you shall make for it a rim of gold roundabout.

And you shall cover it with pure gold - All of the vessels in the sanctuary required immersion [to purge them from uncleanness] except the golden altar and the copper altar, which were regarded as the ground [in which they were fixed, and thus not subject to uncleanness]. The golden altar, as it is written: "And you shall cover it with pure gold ..." [the implication being that it is to be gilded after having been set into the ground]; the copper altar being referred to (27:1) as "foursquare," as is the golden altar (2) [whence it is derived that] just as the golden altar is regarded as the ground, so the copper altar (*Ibid.*).<sup>3</sup>

**30:7** And Aaron shall burn upon it sweet incense in the morning, in the morning; when he cleans the lamps, he shall burn it.

**in the morning, in the morning** - The burning of the incense precedes [the offering up of] the limbs [of the daily burnt-offering], as it was taught: Let that of which it is written: "in the morning, in the morning" precede that [the daily burnt-offering] of which only one "morning" is written [*Numbers* 28:4] (*Pesachim* 59a).<sup>4</sup>

**in the morning, in the morning** - The arrangement of the two logs [on the altar] precedes the removal of the ashes from the inner altar. And though it is written here: "in the morning, in the morning," and there [in respect to the removal of the ashes] (*Leviticus* 6:5): "in the morning, in the morning," even so, the prerequisite [for the entire altar service, i.e., the arrangement of the logs] takes precedence (*Yoma* 33a).<sup>5</sup>

**in the morning, in the morning** - Divide it between two mornings. [This teaches us that a sacrificial service (the burning of the incense) intervenes between the cleaning of the lamps. (Five lamps are cleaned, the incense is burned, and then the remaining two lamps are cleaned)] (*Ibid.* b).<sup>6</sup>

**in the morning, in the morning** - R. Yishmael taught: "in the morning, in the morning" — Scripture hereby provides a boundary for the morning of morning [the morning of the rising of the morning star being the boundary of the morning of sunrise, so that the first may be regarded as "morning" for sacrificial purposes] (*Yerushalmi Berachoth* 1:1).<sup>7</sup>

**in the morning, in the morning, when he cleans** - The *menorah* is consecrated only by the kindling of the lamps towards evening, and the altar, by the burning of the incense towards evening, it being written: "in the morning, in the morning, when he cleans the lamps, he shall burn it" — and if he had not kindled them in the evening, how could he clean them in the morning! (*Menachoth* 50a).<sup>8</sup>

**when he cleans** - [The burning of the incense precedes the cleaning of (the last) two lamps] And how is: "when he cleans the lamps, he shall burn it" to be understood? Scripture is thus prescribing: During the

time of the cleaning [i.e., After the first five lamps have been cleaned] the incense is to be burned (*Yoma* 14b).<sup>9,10</sup>

**the lamps** - [The cleaning of five lamps precedes the burning of the incense, and the burning of the incense precedes the cleaning of two lamps]. Why does he first clean five lamps? Since he began with them, he cleans most of them. Let him, then, clean six! Scripture states: “when he cleans the *lamps*,” and “lamps” are no fewer than two (*Ibid.* 33b).<sup>11</sup>

30:8 And when Aaron kindles the lamps towards evening, he shall burn it; a perpetual incense before the L-rd throughout your generations.

And when Aaron kindles, etc. What is the intent of: “And when Aaron kindles the lamps ... he shall burn it”? If, that first he kindles the lamps and then burns the incense, did we not learn (27:21): “Aaron and his sons shall order it [i.e., the lighting of the *menorah*] from evening until morning” — No service may be performed from evening until morning other than this [i.e., the lighting of the *menorah*] alone! This, then, is what Scripture intends: At the time of kindling, the incense shall still be burning (*Ibid.* 15a).<sup>12,13</sup>

30:9 You shall not offer upon it strange incense, nor burnt-offering, nor meal-offering; nor shall you pour libations upon it.

**You shall not offer upon it** - It was taught: I might think that an individual [as opposed to the congregation] could donate incense; it is, therefore, written: “You shall not offer upon it *strange* [i.e., non-congregational] incense.” I might think that the congregation could donate it as a free-will offering in view of the fact that they bring it as an obligatory offering [twice a day]; it is, therefore written: “You [plural] shall not offer.” I might think that they may not offer it on the inner altar, but that they may offer it on the outer altar; it is, therefore, written (31:11): “According to all that I have commanded you shall they do” — only that which is explicitly stated is to be done (*Menachoth* 50b).<sup>14-16</sup>

30:10 And Aaron shall make atonement upon its corners once a year. From the blood of the sin-offering of atonement, once a year, shall he make atonement upon it for your generations; it is holy of holies to the L-rd.

**once a year** - It effects *one* type of atonement [i.e., for unwitting sins in respect to consecrated objects, where there was awareness of their state of consecration and one's state of uncleanness before the sin, and unwittingness at the time of the sin], but it does not effect two types of atonement [i.e., it does not also atone for sins where there was no such state of awareness in the beginning]; "once a year" — This atonement is to be made only once a year [i.e., on the inner altar, and not on the outer altar] (*Shevuoth* 8b).<sup>17</sup>

**From the blood of the sin-offering of atonement** - If the blood were spilled [inadvertently before all the sprinklings were complete], other blood [from a different bullock] is brought and the sprinklings are repeated from the beginning. Why so? For it is written: "From the blood of the sin-offering of atonement, *once* a year" — *one* sin-offering, and not two (*Yoma* 61a).<sup>18</sup>

## Ki Tisa

30:12 When you take the sum of the children of Israel according to their number, then each man shall give the ransom of his soul to the L-rd when they are counted, that there be no plague among them when they are counted.

**When you take** [lit., “When you lift the head”] - R. Avahu said: Moses said before the Holy One Blessed be He: “With what will the horn of Israel be lifted?” He answered: “With: ‘When you take, etc.’ ” (*Bava Bathra* 10b).<sup>19</sup>

**When you take** - It was taught: R. Yishmael says: Come and see [how great are] the mercies of the Holy One Blessed be He to flesh and blood, a man acquiring his life from Heaven by money, as it is written: “When you take the sum of the children of Israel ... then each man shall give the ransom of his soul” (*Mechilta, Mishpatim* 21:30).<sup>20</sup>

**then each man shall give** - a *man*, and not a woman [only the males, and not the females being counted] (*Shekalim* 1:3, *Bartenura*).<sup>21</sup>

30:13 This shall they give, all that pass to be numbered: half a shekel according to the shekel of the sanctuary, twenty *gerah* to the shekel, half a shekel, *terumah* to the L-rd.

**This shall they give** - R. Yochanan b. Zakkai said: A priest who does not give is a sinner, it being written: “*This* [*zeh*] shall they give” — all of the twelve tribes must give [the numerical equivalent of *zeh* being twelve] (*Yerushalmi Shekalim* 6:3).<sup>22</sup>

**half a shekel** - Why half a shekel? R. Yehudah and R. Nechemiah differ on this, one saying: Because they sinned [with the golden calf] in mid-day, they give half a shekel; the other: Because they sinned in the sixth

hour of the day, they give half a shekel, which is equivalent to six *garmisin*. R. Nechemiah says in the name of R. Yochanan b. Zakkai: Because they transgressed the ten commandments, each one gives ten *gerah* (*Ibid.* 2:3).<sup>23,24</sup>

twenty *gerah* to the shekel - The *sela* of Scripture is equivalent to three and a third dinars, it being written: "twenty *gerah* to the shekel," which the *Targum* renders: "twenty *ma'ah*"; and we learned that six *ma'ah* of silver are equivalent to a dinar (*Bechoroth* 50a).<sup>25,26</sup>

terumah to the L-rd - R. Yosef taught: "*Terumah*" is thrice mentioned here. Three *terumoth* are herein subsumed: that of the altar, for purposes of the altar; that of the sockets, towards the sockets [of the tabernacle]; and that of Temple maintenance, towards Temple maintenance (*Megillah* 29b)<sup>27-29</sup>

30:14 All who pass to be numbered, from twenty years and above, shall give the *terumah* of the L-rd.

All who pass to be numbered - What is the intent of: "All who pass"? "All who passed through the sea" [i.e., everyone, including priests and Levites] must give (*Yerushalmi Shekalim* 1:3).<sup>30</sup>

30:18 And you shall make a laver of copper, and its pedestal, of copper, for washing. And you shall place it between the tent of meeting and between the altar, and you shall place water there.

and its pedestal of copper - It was taught: R. Yehudah says: I might think that the pedestal could serve for ablution just as the laver does; it is, therefore, written: "and its pedestal, of copper" — it is likened [to the laver] only in respect of its being copper, and in no other respect (*Zevachim* 22a).<sup>31</sup>

30:19 And Aaron and his sons shall wash from it their hands and their feet.

**And they shall wash** - This is the source for (*Berachoth* 15a) the washing of the hands before prayer (*Rashba, Responsa* 191).<sup>32</sup>

**And they shall wash** - "from it," and not *in* it (*Zevachim* 21a).<sup>33</sup>

**And they shall wash** - "from *it*," and not from a non-consecrated vessel (*Ibid.* 22a).<sup>34</sup>

**their hands and their feet** - The Rabbis taught: How is the *mitzvah* of laving performed? He places his right hand on his right foot, and his left hand on his left foot, and they are washed (*Ibid.* 19b).<sup>35</sup>

**their hands and their feet** - It was taught: The hands, until the joint [of the finger]; the foot, until the [beginning of] the calf (*Yerushalmi Yevamoth* 12:1).<sup>36</sup>

30:20 When they come to the tent of meeting, they shall wash their hands and not die; or when they approach the altar to minister, to offer up a fire-offering to the L-rd.

**they shall wash** - to include [(as valid for washing) in addition to the laver] any consecrated vessel (*Zevachim* 22a).<sup>37</sup>

**and not die** - whence it is inferred that a priest who serves without washing his hands and feet incurs the penalty of death at the hands of Heaven (*Sanhedrin* 83b).<sup>38</sup>

**or when they approach** - R. Acha b. Yaakov said: All agree in respect to the second laving performed by the high-priest on Yom Kippur that first he changes his attire [from the golden to the white vestments] and then washes. Why so? For it is written: "Or when they approach the altar," implying that only "approaching" is to be lacking [after washing], and not dressing and approaching (*Yoma* 32b).<sup>39</sup>

**or when they approach** - It was taught: If he were standing and sacrificing upon the altar the entire night, in the morning he requires washing of hands and feet. These are the words of Rebbi. What is his source? "when they *approach*" [the morning service constituting a new "approach"]. But it is also written: "When they *come*" [implying only one coming]! That is to negate the necessity [of washing] for each

approach [in the context of one (i.e., the evening) coming] (*Zevachim* 19b).<sup>40,41</sup>

**to minister** - The laving of hands and feet must be done while the priest is standing, it being written: "to minister," and ministering is done standing (*Ibid.*).<sup>42</sup>

**to offer up a fire-offering** - Why is this mentioned? I might think [if it were not mentioned] that only a sacrificial service necessary for atonement [required laving], but that a service not necessary for atonement [such as the offering of the devoted portions] did not; it is, therefore, written ["to offer up a fire-offering," implying *any* fire-offering, whether or not indispensable for atonement] (*Ibid.* 20a).<sup>43,44</sup>

30:21 And they shall wash their hands and their feet and not die; and it shall be for them an everlasting statute, for him and for his seed throughout their generations.

**an everlasting statute** - If a priest officiated without laving his hands and feet, his services is invalid. Why so? It is written here: "an everlasting statute," and, in respect to a priest who ministers without being clothed in all of the priestly vestments: "an everlasting statute." Just as in that instance his service is invalid, here, too, it is invalid (*Zevachim* 19b).<sup>45</sup>

**for him and for his seed** - The Rabbis taught: If a high-priest [on Yom Kippur] did not immerse himself, or if he did not perform the laving between changes of garments, and he officiated, his service is valid. But [if he neglected to do so upon his arrival to officiate at the daily service] in the morning — whether he be a high-priest or a regular priest — his service is invalid. Why so? For it is written: "and it shall be for them an everlasting statute, for him and for his seed throughout their generations." What disqualifies his seed [i.e., the above-mentioned neglect] disqualifies him; what does not disqualify his seed [i.e., neglect in the Yom Kippur service (regular priests not officiating therein altogether)], does not disqualify him (*Ibid.*).<sup>46,47</sup>

30:23 And you, take for yourself the best spices: pure myrrh,

five hundred shekels; sweet cinammon, half of it being two hundred and fifty shekels; sweet calamus, two hundred and fifty shekels.

**pure myrrh** - The Papunai asked R. Mathnah: Where is Mordecai alluded to in the Torah? He answered: It is written: "pure myrrh" [*mar dror*], which the Targum renders: "*mera dachya*" [which is close in sound to "Mordecai"] (*Chullin* 139b).<sup>48</sup>

**pure myrrh, five hundred shekels** - The Rabbis taught: The oil of anointment: pure myrrh — five hundred shekels; cassia — five hundred; sweet cinammon — five hundred; sweet calamus — two hundred and fifty, giving a total of one thousand seven hundred and fifty shekels (*Krituth* 5a).<sup>49,50</sup>

30:24 And cassia, five hundred shekels in the shekel of the sanctuary, and olive oil, a hin.

**and olive oil, a hin** - How much is a *hin*? Twelve *logs*, as it is written (31): "Holy anointing oil shall *this* be to Me throughout your generations," the numerical equivalent of "*zeh*" ["this"] being twelve (*Menachoth* 89a).<sup>51</sup>

30:29 And you shall consecrate them, and they shall be holy of holies; everything that touches them shall become consecrated.

**everything that touches them shall become consecrated** - From here it is derived that the ministering vessels consecrate [what enters them] (*Zevachim* 87a).<sup>52</sup>

30:31 And to the children of Israel shall you speak, saying: Holy anointing oil shall this be to Me throughout your generations.

**shall this be to Me throughout your generations** - The Rabbis taught: The oil of anointment prepared by Moses in the desert was the agent of

many miracles. In the beginning, there were ten *logs*; and with these there were anointed: the sanctuary and its vessels, Aaron and his sons, the high-priests and the kings. And it shall all remain intact in the end, as it is written: “shall *this* be to Me throughout your generations,” the numerical equivalent of “*zeh*” [“this”] being twelve (*Krituth* 5b).<sup>53</sup>

**throughout your generations** - It was taught: When the ark was secreted [upon the destruction of the Temple], the oil of anointment was also secreted. Whence is this derived? It is derived: “generations” [here] - “generations,” in respect to the commemorative jar of manna (16:33). [Just as the latter was secreted along with the ark, so, the oil of anointment] (*Ibid.*).<sup>54</sup>

**30:32 On the flesh of a man it shall not be poured, and of its composition, you shall not make its like. It is holy; holy shall it be to you.**

**On the flesh of a man** - The Rabbis taught: One who pours anointing oil upon beasts, vessels, dead bodies, and idolators is not liable. Whence is this derived? Beasts and vessels — from: “On the flesh of a *man* it shall not be poured.” Dead bodies — When one dies, he is called “a corpse,” and not “a man.” Idolators — All who may not pour [i.e., Jews, to whom the *mitzvah* (of not pouring) is directed,] may not be poured upon; and all who may pour may be poured upon (*Ibid.* 6b).<sup>55</sup>

**On the flesh of a man** - R. Chanina taught: Whence is it derived that a high-priest who took of the anointing oil upon his head and placed it upon his stomach is liable? From: “On the flesh of a man it shall not be poured” (*Ibid.* 7a).<sup>56</sup>

**and of its composition** - The Rabbis taught: If one compounds the anointing oil for instructional purposes or for communal needs, he is not liable, “its composition” being likened to “its composition” stated in respect to the incense, concerning which it is written (37): “you shall not make for *yourselves*” — It is for *yourselves* that it is forbidden, but it is permitted for communal needs (*Ibid.* 5a).<sup>57,58</sup>

**you shall not make its like** - Rava said: If one compounds oil using half [of the amounts specified for the anointing oil], he is not liable, it being

written: "you shall not make its like" — its *like* is forbidden, but half is permitted (*Ibid.*).<sup>59</sup>

It is **holy** - "It is holy; holy shall it be" — Its entire preparation must be one of holiness [i.e., The anointing oil must be prepared in the *azarah*, its ingredients must be consecrated, and the vessels used must be consecrated ones] (*Ibid.* 6a).<sup>60</sup>

**30:33** A man who compounds its like and who places of it upon a stranger shall be cut off from his people.

**and who places** - How much must be poured to create liability? The size of an olive. Whence is this derived? It is derived from "placing" in general. Just as "placing" in general is the size of an olive [this being derived elsewhere], the "placing" here, too, is the size of an olive (*Ibid.* 6b).<sup>61</sup>

**and who places of it** - [This ("of it") teaches us that there is liability only for the oil of anointment prepared by Moses] (*Ibid.* 8a).<sup>62</sup>

**upon a stranger** - It was taught: If one pours anointing oil upon priests and kings [after they have already been anointed], he is not liable. Why so? It is written: "and who places of it upon a stranger." There is no liability unless he is "a stranger" [to the requirement of anointment] from beginning to end [which was not the case with priests and kings before they were anointed] (*Ibid.* 6b).<sup>63</sup>

**shall be cut off from his people** - R. Elazar said in the name of R. Hosheya: Wherever you find two negative commandments and one *kareth* [cutting-off], there is a division of sin-offerings between them [i.e., If both transgressions were unwittingly performed in one act of forgetfulness, a sin-offering is required for each]. And what are they [i.e., the transgressions]? Compounding and pouring, as it is written: "On the flesh of a man it shall not be poured, and of its composition you shall not make." And one *kareth*, as it is written: "A man who compounds its like and who places of it upon a stranger shall be cut off from his people" (*Ibid.* 3a).<sup>64,65</sup>

**30:34** And the L-rd said to Moses: Take for yourself sweet

spices, storax, and onycha, and galbanum; sweet spices with pure frankincense; each shall be unto itself.

**Take for yourself** - It was taught: R. Yashiah says: "Take for *yourself*" — of your own [Moses']. R. Yonathan says: Of the congregation. What, then, is the intent of: "for yourself"? As if to say: I desire yours more than I desire theirs (*Yoma* 3b).<sup>66</sup>

**Take for yourself spices, etc.** - R. Yochanan said: Eleven spices were enumerated to Moses at Sinai. R. Huna said: Whence is this derived? "Take for yourself sweet *spices*" — two [the minimum of "spices" being two]; "storax, and onycha, and galbanum" make five; "sweet spices" — another five [i.e., in addition to the first five], making ten; "pure frankincense" — one, making eleven altogether (*Krituth* 6b).<sup>67</sup>

**each shall be unto itself** - What is the intent of: "unto itself"? Ravina said: That the spices not be weighed against each other [after one has already been weighed, but each must be independently weighed against the iron weight in the other balance] (*Ibid.* 5a).<sup>68</sup>

30:35 And you shall make of it an incense, a fragrance, the work of the perfumer; salted, pure and holy.

**an incense [ketoreth]** - What is the intent of "*ketoreth*"? Something which circles and rises [in a straight column, and does not spread out in all directions] (*Ibid.* 6b).<sup>69</sup>

30:37 And the incense that you make, of its composition you shall not make for yourselves; holy shall it be for you to the L-rd.

**And the incense that you make** - Rava said: One is liable for misuse of incense which was compounded of half [the prescribed amounts], it being written: "And the incense that you *make*" — all that you make [i.e., even half the amount], it being possible for half to be used at the morning sacrifice and half towards evening (*Ibid.* 5a).<sup>70</sup>

**you shall not make** - *You* shall not make it, but others may make it for

you [i.e., If an idolator made it for himself, a Jew may derive enjoyment from it] (*Yerushalmi Megillah* 1:1) .<sup>71</sup>

**you shall not make for yourselves** - It is for *yourselves* that it is forbidden, but it may be given to the public [for communal sacrifices] (*Krituth* 5a).<sup>72</sup>

**holy shall it be** - Its entire preparation must be one of holiness [i.e., The incense must be prepared in the *azarah*, its ingredients must be consecrated, and the vessels used must be consecrated ones] (*Ibid.*).<sup>73</sup>

31:2 See, I have called in the name of Bezalel the son of Uri the son of Chur of the tribe of Judah.

**See, I have called in the name** - R. Yochanan said: A good provider is heralded by the Holy One Blessed be He Himself, as it is written: "See, I have called in the name of Bezalel" (*Berachoth* 55a).<sup>1</sup>

**Bezalel** - R. Shmuel b. Nachmani said in the name of R. Yonathan: "Bezalel" was so called because of his wisdom. When the Holy One Blessed be He told Moses: Go and tell Bezalel to make a tabernacle, an ark, and vessels [see 7], Moses went to him and said: Make an ark, vessels, and a tabernacle. Thereupon Bezalel said: Moses, our teacher, it is the way of the world for a man first to build a house and then to place vessels therein and you tell me: Make an ark, vessels, and a tabernacle! The vessels that I make — where shall I put them! Is it possible that the Holy One Blessed be He told you thus: "... a tabernacle, an ark, and vessels"? Whereupon Moses responded: Is it possible that you were in the shadow of the Almighty [*bezel Kel*] and you knew! (*Ibid.*).<sup>2-4</sup>

**Bezalel the son of Uri** - It was taught: The [men of] the early generations could beget children at the age of eight. Whence is this derived? It is written: "Bezalel, the son of Uri, the son of *Chur*, of the tribe of Judah," and (I *Chronicles* 2:19): "And Kalev took to himself Efrath, and she bore him *Chur*." Now how old was Bezalel when he began to build the tabernacle? [At least] thirteen, as it is written (36:4): "... a man, a man [(a "man" being thirteen)] from his work." And it was taught: The first year he built the tabernacle; the second, he erected it and sent out the spies." And it is written (*Joshua* 14:6,7): "And Kalev

said: I was forty when Moses, the servant of the L-rd, sent me." Subtract fourteen for Bezalel. This leaves twenty-six. Subtract two years for three pregnancies, and we find that each [of the progenitors] could beget children at the age of eight (*Sanhedrin* 69b).<sup>5,6</sup>

31:3 And I have filled him with the spirit of G-d: with wisdom, and with understanding, and with knowledge, and with all manner of workmanship.

with wisdom, and with understanding, and with knowledge - R. Yehudah said in the name of Rav: Bezalel was able to "combine the letters" with which heaven and earth were created. It is written here: "And I have filled him with the spirit of G-d: with wisdom, and with understanding, and with knowledge," and, elsewhere (*Proverbs* 3:19): "The L-rd with wisdom founded the earth; He established the heavens with understanding," and (*Ibid.* 20): "With His knowledge the depths were split" (*Berachoth* 55a).<sup>7</sup>

31:6 And, behold, I have given with him Ahaliav the son of Achisamach of the tribe of Dan. And in the heart of all who are wise of heart I have placed wisdom, and they shall do all that I have commanded you.

of the tribe of Dan -R. Yochanan said: Whence is it derived that one should not deviate from the occupation of his ancestors? From (*I Kings* 7:13,14): "And King Solomon sent, and he took Hiram of Tzor. He was the son of a widow, of the tribe of Naftali, and his father was a man of Tzor, a worker in brass." And the master said: His mother was from Dan, and his father from Naftali; and it is written: "with him Ahaliav the son of Achisamach of the tribe of Dan" [Ahaliav being noted for his work in brass] (*Erchin* 16b).<sup>8</sup>

And in the heart of all who are wise - From here it is derived that the Holy One Blessed be He gives wisdom only to those who already possess it [in some measure] (*Berachoth* 55a).<sup>9</sup>

31:8 And the table and its vessels, and the pure *menorah* and all

its vessels, and the altar of the incense.

**the pure menorah** - R. Shmuel b. Nachmani said in the name of R. Yonathan: What is the intent of: “the pure *menorah*”? Its instructions [i.e., those for fashioning it] were delivered from a place of purity [i.e., Heaven] (*Menachoth* 29a).<sup>10</sup>

31:11 And the oil of anointment and the incense of spices for the holy place, according to all that I have commanded you shall they do.

according to all that I have commanded you shall they do - [They shall do] only what is stated herein [whence it is derived that incense is not brought as a free-will offering, even upon the outer altar] (*Ibid.* 50b).<sup>11</sup>

31:13 And you, speak to the children of Israel, saying: But My Sabbaths you shall keep, for it is a sign between Me and you for your generations to know that I, the L-rd, make you holy.

And you, speak - “And *you*, speak” — not through a messenger and not through an interpreter (*Ibid.*).<sup>12</sup>

**But My Sabbaths** - It was taught: R. Yossi b. R. Yehudah says: Whence is it derived that the saving of a life overrides the Sabbath? It is written: “But My Sabbaths you shall keep.” I might think in all circumstances [i.e., even when life is at stake]; it is, therefore, written: “*But*,” to make this exception (*Yoma* 85b).<sup>13</sup>

**But My Sabbaths** - It was taught: R. Avahu says in the name of R. Yochanan: Whence is it derived that even the *possibility* of saving a life overrides the Sabbath? From: “*But* My Sabbaths you shall keep.” “*But*” excludes [*all* life-threatening situations] (*Yerushalmi Yoma* 8:5).<sup>14</sup>

**But My Sabbaths you shall keep** - And it is written (16): “And the children of Israel shall keep *the* [singular] Sabbath.” How is this to be reconciled? “And they shall keep *the* Sabbath” — one “keeping” for

each Sabbath [individually]; “My *Sabbaths* you shall keep” — one keeping for many Sabbaths [collectively]. From here it is derived: One who forgets the *mitzvah* of keeping the Sabbath and performs many labors on many Sabbaths is liable [to bring a sin-offering] for each Sabbath [this satisfying: “one keeping for each Sabbath”] (*Sabbath* 69b).<sup>15</sup>

**you shall keep** - to include those things which are proscribed by reason of *shvuth* [“resting” — i.e., things forbidden by the Rabbis as bordering upon the Scriptural prohibitions] (*Ibid.*).<sup>16</sup>

**for it is a sign** - This teaches us that the Sabbath is called: “a sign” [whence it is derived that the *mitzvah* of *tefillin*, (which are referred to as “a sign,”) does not obtain on the Sabbath (the day itself being “a sign”)] (*Rashi on Menachoth* 36b).<sup>17</sup>

**to know** - The injunction applies only to those who have knowledge — to exclude [from the necessity of constraint from labor] deaf-mutes, imbeciles, and minors [who lack such knowledge] (*Ibid.*).<sup>18</sup>

**to know that I, the L-rd** - It was taught: “to know that I, the L-rd, make you holy”: The Holy One Blessed be He said to Moses: I have a goodly gift in My treasure-house, and “Sabbath” is its name. And I desire to give it to Israel — Go and tell them! From here it is derived that one who confers a gift upon his neighbor must apprise him of the fact [that he is the benefactor]. (This obtains only if the identity of the benefactor will not otherwise come to light) (*Shabbath* 10b).<sup>19</sup>

**make you holy** - What is the intent of: “make you holy”? The world to come will be reminiscent of the holiness of the Sabbath in this world (*Mechilta*).<sup>20</sup>

31:14 And you shall keep the Sabbath, for it is holy to you; those who desecrate it, die, he shall die. For all who perform labor upon it, that soul shall be cut off from the midst of its people.

**for it is holy** - It was taught: If one performs a forbidden labor on the Sabbath, the [product of that] labor is permitted. Why so? For it is

written: “for it is holy” — *It* is holy, but [the products of] its labors are not holy [i.e., interdicted] (*Kethuvoth* 34a).<sup>21</sup>

**for it is holy to you** - It was taught: R. Yonathan b. Yosef says: Whence is it derived that the saving of a life overrides the Sabbath? From: “for it is holy to you.” *It* is given to *you*, and *you* are not given [i.e., “surrendered”] to *it* (*Yoma* 85b).<sup>22</sup>

**for it is holy to you** - This teaches us that the Sabbath adds holiness to Israel (*Ibid.*).<sup>23</sup>

**those who desecrate it** - It was taught: Because of the sin of desecration of the Sabbath, wild animals multiply, domestic animals disappear, human beings grow scant, and the roads become desolate, as it is written (*Leviticus* 26:23): “And if with these [*be’eileh*] you not be chastised” — Read it not: “*be’eileh*,” but: “*bealah*” [“for an oath” (i.e., for swearing falsely)]; and it is written (*Ibid.* 22): “And I shall send against you the beasts of the field ... and they shall cut off your animals, and reduce your numbers, and make desolate your ways.” And in respect to a false oath it is written (*Ibid.* 19:12): “And you *desecrate* the name of your G-d.” And in respect to the Sabbath it is written: “those who *desecrate* it.” The “desecration” of the Sabbath is likened to the “desecration” of [G-d’s name through] a false oath [and is, therefore, subject to the above-mentioned consequences] (*Shabbath* 33a).<sup>24,25</sup>

**those who desecrate it, die, he shall die** - It was taught: Whence is derived the discreteness of forbidden labors on the Sabbath [i.e., the obligation of a sin-offering for each of several labors unwittingly performed on the Sabbath (as opposed to a single sin-offering for the desecration of Sabbath per se)]? Shmuel said: From: “those who desecrate it, die, he shall die.” The Torah hereby mandated manifold death penalties for a single act of desecration [the only possible application of this mandate being in the afore-mentioned instance, where the “single act of desecration” is that of the Sabbath per se, and the “manifold death penalties,” those attaching to the specific labors]. And though this verse relates to deliberate transgression, if it cannot be applied thereto, it already being written (35:2): “All who perform labor on it shall be put to death,” understand it as referring to unwitting transgression. And what is the intent of: “and die, he shall die”? By monetary expenditure [for the sin-offerings] (*Ibid.* 70a).<sup>26,27</sup>

**those who desecrate it, die, he shall die** - And it is written (*Numbers* 28:9): “And on the day of Sabbath [there shall be sacrificed] two lambs”! [Does this not constitute a desecration of the Sabbath!] How is this to be resolved? It must be that both commandments were stated [miraculously] in a single pronouncement [and are not contradictory in essence] — something which mortal mouth is unable to utter, nor mortal ear to hear (*Yerushalmi Nedarim* 3:2).<sup>28</sup>

**those who desecrate it, die, he shall die** - What is the intent of this? Is it not already written (15): “Everyone who does labor on the Sabbath day, die, he shall die”? I might think [if only the latter were written] that punishment obtained only for labor performed in the daytime. Whence would I derive the same for the evening? It is, therefore, written: “those who desecrate *it* [subsuming both day and night] die he shall die” (*Ibid.*).<sup>29</sup>

**who perform labor upon it** - a completed labor (*Ibid.*).<sup>30</sup>

**that soul shall be cut off** - What is the intent of this? Is it not already written: “those who desecrate it, die he shall die”? It must refer to one who transgresses deliberately in private [i.e., From: “those who *desecrate* it” only *public* desecration would be understood] (*Ibid.*).<sup>31</sup>

**that soul shall be cut off** - “cutting-off” connotes “cessation” [i.e., death]; “that soul” connotes willful transgression (*Ibid.*).<sup>32</sup>

**from the midst of its people** - and the people shall remain at peace (*Ibid.*).<sup>33</sup>

31:15 Six days, work shall be done, and on the seventh day is a Sabbath of resting, holy to the L-rd; everyone who does labor on the Sabbath day, die, he shall die.

**work shall be done** - And elsewhere it is written (20:9): “Six days shall you work.” How are these two verses to be reconciled? When Israel does the will of the Almighty, their work is done by others [hence: “work shall *be done*”]; when it does not do the will of the Almighty, their work is done by themselves [hence: “shall *you work*”] (*Ibid.*).<sup>34</sup>

**holy to the L-rd** - What is the intent of: “holy to the L-rd”? I might

think that just as the holiness of the festivals [i.e., the determination of their times, by intercalation and the like] is relegated to the *beth-din*, so, the holiness of Sabbath; it is, therefore, written: "holy to the L-rd" — Sabbath is relegated to the *L-rd*, and not to *beth-din* (*Ibid.*).<sup>35</sup>

31:16 And the children of Israel shall keep the Sabbath to make the Sabbath unto their generations an everlasting covenant.

**And they shall keep** - It was taught: R. Shimon b. Menassia says: Whence is it derived that the saving of a life overrides the Sabbath? From: "And the children of Israel shall keep the Sabbath." Scripture is hereby saying: Profane for him [whose life is in danger] one Sabbath so that he may be enabled to keep many Sabbaths (*Yoma* 85b).<sup>36</sup>

**to make the Sabbath** - It was taught: R. Elazar b. Prata says: "And the children of Israel shall keep the Sabbath to make the Sabbath": This teaches us that if one *keeps* the Sabbath, it is as if he had *made* it (*Mechilta*).<sup>37</sup>

**an everlasting covenant** - R. Eliezer says: "to make the Sabbath an everlasting covenant": [It is permitted to perform ("make") on the Sabbath] that by which the covenant is sealed. What is that? Circumcision (*Ibid.*).<sup>38</sup>

31:17 Between Me and the children of Israel it is a sign forever.  
For six days did the L-rd make the heavens and the earth,  
and on the seventh day He ceased and He rested.

**Between Me and the children of Israel** - R. Yochanan said in the name of R. Shimon b. Yochai: Every *mitzvah* which the Holy One Blessed be He gave to Israel, He gave them openly, except for Sabbath, which He gave them covertly, as it is written: "Between Me and the children of Israel" (*Beitzah* 16a).<sup>39</sup>

**Between Me and the children of Israel** - "Between Me and the children of Israel" — and not between Me and the gentiles (*Mechilta*).<sup>40</sup>

it is a sign forever - This teaches us that the Sabbath will never go lost from Israel (*Ibid.*).<sup>41</sup>

**He ceased and He rested** [*shavath vayinafash*] - R. Shimon b. Lakish said: The Holy One Blessed be He gives one an additional soul on the eve of Sabbath, and at its conclusion, it is taken from him, as it is written: "*shavath vayinafash*" — "Once one has rested, woe, his [additional] soul is lost!" ["*vay avdah nefesh*" (an expansion of "*vayinafash*")] (*Beitzah* 16a)<sup>42</sup>

31:18 And He gave to Moses when He finished speaking with him on Mount Sinai the two tables of the Testimony, tablets of stone, written with the finger of G-d.

**And He gave to Moses** - R. Yochanan said: In the beginning, Moses would learn Torah and forget it — until it was given to him as a gift, as it is written: "And He gave to Moses" (*Nedarim* 38a).<sup>43</sup>

**tablets of stone** [*luchoth even*] - R. Elazar said: "*luchoth even*" — If one makes his cheeks ["*lechayav*" (similar to "*luchoth*")] like stone, which cannot be worn away, then his learning remains with him; if not, it does not remain with him (*Eruvin* 54a).<sup>44</sup>

32:1 And when the people saw that Moses was late in descending from the mountain, then the people gathered around Aaron and said to him: Arise, make for us a god which will go before us, for this Moses, the man who brought us up from the land of Egypt, we do not know what has become of him.

**that Moses was late** - Read it not: "*boshesh*" ["was late"], but: "*bau shesh*" ["the sixth hour has come"]: When Moses ascended on high [to receive the Law], he said to Israel: "At the end of forty days, in the beginning of the sixth hour, I shall return." At the end of forty days Satan came and confounded the world. He said to them: "Where is Moses?" They answered: "He has ascended on high." He retorted: "The sixth hour has come and he has not returned!" (*Sabbath* 89a).<sup>1-3</sup>

for this Moses, the man - At the end of forty days, when Moses failed to return, Satan said to Israel: "Moses is dead." When they refused to believe him, he showed them a vision of his litter. This is the intent of: "for *this* Moses, the man" [Satan, as it were, pointing to his litter] (*Ibid.*).<sup>4</sup>

32:3 And all the people removed the golden earrings which were in their ears, and they brought them to Aaron.

And all the people removed - R. Yehudah b. Pazzi said in the name of Rabbi: Can one read this and not be confounded! For good [i.e., the contribution for the tabernacle] it is written (35:22): "All the generous of heart" [contributed], and for evil [i.e., the golden calf]: "And *all* the people removed" (*Yerushalmi Shekalim* 1:1).<sup>5,6</sup>

32:4 And he took it from their hand, and he fashioned it with a chisel, and he made it a molten calf. And he said: These are your gods, O Israel, who brought you up from the land of Egypt.

These are your gods, etc. - It was taught: R. Shimon b. Yochai says: Israel made thirteen calves, one of which was common to all [of the tribes], it being written: "These are your gods, O Israel, who brought you up from the land of Egypt" — This refers to [the individual calves for] the twelve tribes, and (*Nechemiah* 9:18): "This is your god, who brought you up" — a common god for all (*Yerushalmi Sanhedrin* 10:2).<sup>7,8</sup>

who brought you up - It was taught: R. Shimon b. Yochai says: What is the intent of: "who [plural] brought you up"? This teaches us that they aspired to many gods (*Sanhedrin* 63a).<sup>9</sup>

32:5 And Aaron saw, and he built an altar before it. And Aaron called out and said: A festival for the L-rd tomorrow!

And Aaron saw - What did he see? R. Binyamin b. Yefeth said: He saw

Chur slaughtered before him, and he said: If I do not accede to them, they will do to me what they did to Chur and bring to pass (*Eichah* 2:20): "Shall there be slain in the sanctuary of the L-rd, priest and prophet!" — and they will never be able to amend it. Better that they serve the golden calf; perhaps they can amend it with repentance (*Sanhedrin* 7a).<sup>10,11</sup>

32:7 And the L-rd said to Moses: Go and descend, for your people have become corrupt, whom you brought up from the land of Egypt.

Go and descend - R. Elazar said: The Holy One Blessed be He said to Moses: Go and descend from your greatness. Did I not accord you greatness only for the sake of Israel? Now that Israel has sinned, what need is there for you [to be great]? (*Berachoth* 32a).<sup>12</sup>

32:10 And now, leave Me, and My wrath will be vented upon them, and I will destroy them; and I will make you a great nation.

And now, leave Me - R. Avahu said: Were it not written, it could not be said ! This teaches us that Moses "seized" the Holy One Blessed be He, as one seizes his neighbor by his garment, and said to Him: "I shall not let You go until You forgive them!" (*Ibid.*).<sup>13</sup>

and I will make you a great nation - R. Elazar said: When the Holy One Blessed be He said to Moses: "And now, leave Me ... and I will make you a great nation," he answered: "L-rd of the Universe, now if a three-legged stool [i.e., a nation propped by the merits of the forefathers] cannot stand before You, a one-legged stool [I myself] how much more so! And, what is more, I shall be put to shame before my forefathers. Now they shall say: 'See this leader that they appointed over themselves. He seeks glory for himself and does not ask mercy for them!' " (*Ibid.* 32a).<sup>14,15</sup>

32:11 And Moses implored the L-rd, his G-d, saying: Why, O L-rd, shall you vent Your wrath upon Your people that

You took out of the land of Egypt with great power and with a strong hand?

**And Moses implored** - It was taught: How long should one pause between one prayer and another? R. Huna and R. Chisda differ on this, one saying: As long as it takes for him to compose [*shetitchonen*] his mind, as it is written (*Deuteronomy* 4:1): "And I entreated [*vaetchanan*] the L-rd"; the other, saying: As long as it takes for him to stir himself up [*shetitchollel*], as it is written: "And Moses implored" [*vayechal*] (*Ibid.* 30b).<sup>16-18</sup>

**And Moses implored** - It was taught: R. Eliezer Hagadol says: This [*"vayechal"*] teaches us that Moses stood in prayer until he was seized by *achilu*. What is "*achilu*"? R. Elazar said: "Bone-fire" (*Ibid.* 32a).<sup>19</sup>

**And Moses implored** - R. Elazar said: This teaches us that Moses stood in prayer before the Holy One Blessed be He until he turned Him from His purpose [*hechalehu* (of destroying the Jews).] Rava says: Until he annulled His vow [to destroy the Jews], it being written here: "*Vayechal*," and, elsewhere [in respect to vows] (*Deuteronomy* 30:3): "He shall not break [*"Lo yachel"*] his word," concerning which the master has said: *He* [the maker of the vow] shall not break it, but others may break [i.e., annul] it for him (*Ibid.*).<sup>20,21</sup>

**And Moses implored** - Shmuel said: This [*"vayechal"* (akin to "*chahal*" ["dead"])] teaches us that he was ready to sacrifice his life for them, as it is written (32): "And if not, erase me, I pray You, from Your book." R. Yitzchak says: This teaches us that he brought to rest upon them [*hechelah*] the attribute of mercy. The Rabbis say: This teaches us that he said to Him: L-rd of the Universe, it is profane [*chullin*] for You to do such a thing (*Ibid.* 32a).<sup>22-24</sup>

32:13 Remember Abraham, Isaac, and Israel, Your servants, to whom You swore by Your name, saying to them: I will multiply your seed as the stars of heaven, and all this land that I have spoken of, I will give to your seed, and they will inherit it forever.

**Remember Abraham, etc.** - R. Yochanan said in the name of R. Yossi b.

Zimra: All who attribute things to the merit of others have those things attributed to themselves. Moses said: "Remember Abraham, Isaac, and Israel," and it [the salvation of Israel] was attributed to him, as it is written (*Psalms* 106:1): "And He would have destroyed them had not Moses, His chosen one, stood in the breach" (*Ibid.* 10b).<sup>25</sup>

**Remember Abraham, etc.** - It was taught: When the Jews sinned in the desert, Moses arose before the Holy One Blessed be He and offered up many prayers and supplications, but he was not answered until he said: "Remember Abraham, Isaac, and Israel." This is Solomon's intent in (*Ecclesiastes* 4:2): "And I praised the dead, who had already died, more than the living, who were still alive" (*Shabbath* 30a).<sup>26</sup>

**to whom You swore by Your name** - What is the intent of: "by Your name"? R. Elazar said: Moses said: L-rd of the Universe: If you had sworn to them by heaven and earth, I might have said: Just as heaven and earth are [destined to be] annulled, so is Your oath subject to annulment; but now that You have sworn to them by Your great name — just as Your great name is eternally enduring, so is Your oath eternally enduring! (*Berachoth* 32a).<sup>27</sup>

**32:15** And Moses turned and he went down from the mountain with the two tablets of the Testimony in his hand, tablets written on both their sides; on one side and on the other were they written.

**on both their sides; on one side and on the other** - It was taught: How were the tablets written? R. Shimon b. Yochai says: Twenty [commandments] on one tablet and twenty on the other, as it is written: "written on both their sides." R. Samai says: Forty on one tablet and forty on the other, as it is written [in addition to: "on both their sides"]: "on one side and on the other were they written" (*Yerushalmi Shekalim* 6:1).<sup>28</sup>

**32:16** And the tablets were the work of G-d, and the writing was the writing of G-d, engraved upon the tablets.

**And the tablets were the work of G-d** - This teaches us that the tablets

were written and placed in readiness from the six days of creation (*Avoth d'R. Nathan* 2).<sup>29</sup>

**engraved upon the tablets** - R. Elazar said: "engraved upon the tablets" — If the first tablets had not been broken, the Torah would never have been forgotten in Israel [i.e., it would have been perpetually "engraved" upon their memories] (*Eruvin* 54a).<sup>30</sup>

**engraved [charuth] upon the tablets** - R. Acha b. Yaakov said: [If the first tablets had not been broken] no people or nation could ever have ruled over Israel, as it is written: "*charuth* upon the tablets": Read it not: "*charuth*," but: "*cheiruth*" [freedom] (*Ibid.*).<sup>31</sup>

**charuth upon the tablets** - R. Yehoshua b. Levi said: ["*charuth* upon the tablets"]: Read it not: "*charuth*," but: "*cheiruth*," for no one is free but he who is engaged in the study of Torah (*Avoth* 6:2).<sup>32</sup>

32:18 And he said: It is not the sound of exulting in strength, nor is it the sound of moaning in weakness; it is a sound of rejoicing [in idolatry] that I hear.

**And he said: It is not the sound, etc.** - Moses said to Joshua: One [i.e., Joshua] who is destined to command six hundred thousand cannot distinguish between one type of sound and another! (*Yerushalmi Ta'anith* 4:5).<sup>33</sup>

**it is a sound of rejoicing [anoth]** - What is a sound of "*anoth*"? A sound of glorification of idolatry (*Ibid.*).<sup>34</sup>

32:19 And it was, when Moses drew near to the camp, that he saw the calf and dancing; and Moses grew wroth, and he cast the tablets from his hands, and he broke them at the foot of the mountain.

**And it was, when Moses drew near** - [But before that, he did not break them.] R. Chilkiah said in the name of R. Acha: This teaches us that one should not judge on the basis of supposition [in this instance, on the basis of his estimate of the nature of the sound (see above)] (*Ibid.*).<sup>35</sup>

**and he broke** - It was taught: Moses broke the tablets of his own accord. What was his rationale? He said: Now if in respect to the Paschal offering, which is only one of the 613 *mitzvot*, the Torah states (12:43): "No stranger shall eat of it" — the entire Torah, and the Jews steeped in heresy [the worship of the golden calf], how much more so [should they not be permitted to "partake" of it]? (*Shabbath* 87a).<sup>36</sup>

32:20 And he took the calf that they had made, and he burned it in fire, and he ground it to powder; and he scattered it upon the water and made the children of Israel drink.

**and made the children of Israel drink** - [Why so? It was taught:] He sought to examine them [to determine if they had worshipped the calf] as a *sotah* [i.e., as a woman suspected of infidelity is "examined" by the bitter waters] (*Avodah Zarah* 44a).<sup>37</sup>

32:24 And I said to them: Who has any gold? And they took it off and gave it to me. And I cast it into the fire, and this calf came forth.

**and this calf came forth** - It was taught: R. Shimon b. Elazar said: Let one always be careful with his answers, for because of Aaron's [heedless] answer to Moses, the heretics found room for their heresy, as it is written: "And I cast it into the fire, and this calf came forth" [the impression being given that it came forth of its own volition] (*Megillah* 25b).<sup>38</sup>

32:26 And Moses stood at the gate of the camp, and he said: "All who are for the L-rd — to me!" And there gathered to him all the sons of Levi.

**all the sons of Levi** - R. Yehudah said: The tribe of Levi did not serve idolatry, as it is written: "And Moses said: 'All who are for the L-rd — to me!' And there gathered to him all the sons of Levi" (*Yoma* 6b).<sup>39</sup>

32:31 And Moses returned to the L-rd, and he said: I pray You

— this people has sinned a great sin, and they have made for themselves gods of gold.

**a great sin** - Concerning idolatry it is written: “A *great* sin,” and, concerning slander (*Psalms* 12:4): “a tongue speaking *great* things,” to teach that the sin of the slanderer approaches in greatness [i.e., severity] that of the idolator (*Erchin* 15b).<sup>40</sup>

**and they have made for themselves** - It was taught: R. Akiva says: It is not that one must specify his sin, for it is written (*Psalms* 32:1): “Blessed is he whose transgression is forgiven, whose sin is hidden.” Why, then, did Moses say: “and they have made for themselves gods of gold”? Moses said before the Holy One Blessed be He: “L-rd of the Universe, the silver and gold that you heaped up for the Jews until they said: Enough! — it is that which caused them to make for themselves gods of gold!” (*Yoma* 86b).<sup>41</sup>

**gods of gold** - R. Levi says: Why does the high-priest not serve on Yom Kippur in the golden vestments? For the prosecutor [i.e., gold, of which the calf was made] does not become the defender [i.e., the instrument of gaining atonement]. Yesterday: “and they made for themselves gods of gold,” and today he stands and serves in vestments of gold!” (*Yerushalmi Yoma* 7:3).<sup>42</sup>

32:32 And now, if You forgive their sin — and if not, erase me, I pray you, from Your Book, which You have written.

**and if not, erase me** - Shmuel said: This teaches us that he offered up his life for them (*Berachoth* 32a).<sup>43</sup>

**erase me, etc.** - R. Cropsedai said in the name of R. Yochanan: Three books are opened on Rosh Hashanah: one for confirmed evil-doers, one for confirmed *tzaddikim*, and one for average men. R. Nachman b. Yitzchak said: Whence is this derived? From: “and if not, erase me, I pray You, from Your Book, which You have written”: “erase me” — this is the book of the confirmed evil-doers; “from Your Book” — this is the book of the confirmed *tzaddikim*; “which You have written” — this is the book of the average men (*Rosh Hashanah* 16b).<sup>44</sup>

32:34 And now, lead the people whither I have told you. Behold, My angel shall go before you; and on the day of My visitation, I shall visit upon them their sin.

**and on the day of My visitation, I shall visit upon them** - It was taught in the name of R. Yossi: It [the seventeenth of Tammuz, when the tablets were broken] is a day stored up for punishment [Many calamities befell the Jews on that date] (*Sanhedrin* 102a).<sup>45</sup>

**and on the day of My visitation, I shall visit upon them** - R. Yitzchak said: No punishment comes upon the world which does not contain a twenty-fourth part of the weight of a litre [i.e., which does not contain a certain portion of punishment for the sin] of the first calf, as it is written: "and on the day of My visitation, I shall visit upon them their sin" (*Ibid.*).<sup>46</sup>

33:6 And the children of Israel were stripped of their ornaments of Mount Chorev.

**And they were stripped** - R. Simmai expounded: When the children of Israel uttered: "We shall do" before: "We shall hear" [i.e., "understand"] (24:7), six hundred thousand ministering angels came and conferred upon each one of them two crowns, one for "We shall do," the other for "We shall hear." When they sinned [with the golden calf], twelve hundred thousand angels of destruction came down and removed them, as it is written: "And the children of Israel were stripped of their ornaments of Mount Chorev." R. Yochanan said: And Moses merited taking all of them, as it is written [immediately following]: "And Moses would take the *tent*" [understood here as the merit of the Torah] (*Shabbath* 88a).<sup>1</sup>

**of Mount Chorev** - R. Avahu taught: Mount Chorev and Mount Sinai are one and the same. Why was it called "Chorev"? Because *churbah* [destruction] descended to the idolators upon it (*Ibid.* 89b).<sup>2</sup>

33:7 And Moses would take the tent and pitch it outside the camp, far from the camp. And he called it the "tent of

meeting.” And all who sought the L-rd would go out to the tent of meeting, which was outside the camp.

**outside the camp** - R. Shmuel b. R. Yitzchak said: (*Psalms* 106:15): “And they felt rancor towards Moses in the camp” — This teaches us that each one warned his wife against [secluding herself] with Moses, as it is written: “And Moses would take the tent and pitch it outside the camp” [where the women would not come] (*Sanhedrin* 110a).<sup>3</sup>

**And all who sought the L-rd** - R. Yehudah opened [his remarks] on the greatness of hosting Torah scholars, expounding [as follows]: Now, if concerning the ark of the L-rd, which was only twelve *mil* [away from the camp], the Torah states: “And all who ‘sought the L-rd’ would go out to the tent of meeting” — Torah scholars who go from city to city and from country to country to study Torah, how much more so [may it be said of them that they are “seeking the L-rd”]! (*Berachoth* 63b).<sup>4-6</sup>

**all who sought the L-rd** - It is not written here: “all who sought *Moses*,” but: “All who sought the *L-rd*” — whence it is derived that all who pay attendance upon their teacher are paying attendance, as it were, upon the Shechinah (*Yerushalmi Eruvin* 5:12).<sup>7</sup>

33:8 And it was, when Moses went out to the tent, that all the people would rise, and each would stand at the door of his tent; and they would look after Moses until he had come to the tent.

**and they would look, etc.** - It was taught: When the Nassi passes by, one must remain standing as long as he is within eyesight, and one must not sit until he sits in his place, as it is written: “and they would look after Moses until he had come to the tent” (*Kiddushin* 33b).<sup>8,9</sup>

**and they would look after Moses** - Two *amoraim* differ on this, one seeing it as laudatory; the other, as deprecatory. The first sees them as desiring the merit of beholding the righteous one; the second, as saying: “Look at his thigh; look at his leg” [i.e., see how plump they are!]. It is all from [the food of] the Jews! Everything he has comes from the Jews!” (*Yerushalmi Bikkurim* 3:3).<sup>10,11</sup>

**33:11** And the L-rd spoke to Moses face to face, as a man speaks to his neighbor, and he returned to the camp; and his attendant, Joshua the son of Nun, a youth, did not depart from the tent.

**face to face** - [What is the intent of: "face to face"?] R. Yitzchak said: The Holy One Blessed be He said to Moses: You and I will gladden each other with *halachah* [i.e., with halachic discussion]. Others say: He said to him: Just as I acceded to your request [to forgive the Jews], you, too, accede to their request, and return the tent to its place (*Berachoth* 63b).<sup>12,13</sup>

**and he returned to the camp** - R. Avahu said: The Holy One Blessed be He said to Moses: Now they shall say: The teacher [Moses] is angry, and the disciple [Joshua] is angry — Israel, what will be of them! If you return the tent to its place, good; if not, Joshua, your disciple, will serve in your stead. This is the intent of: "and he returned to the camp." Rava said: Notwithstanding this, the pronouncement [that Joshua would succeed to Moses' position] did not come to naught, as it is written: "and his attendant, Joshua the son of Nun, a youth, did not depart from the tent" (*Ibid.*).<sup>14,15</sup>

**did not depart** - R. Shmuel b. Nachmani said in the name of R. Yonathan: (*Joshua* 1:8): "The book of this Torah shall not depart from your mouth" — This verse is neither duty nor *mitzvah*, but blessing. The Holy One Blessed be He saw that the words of Torah were exceedingly beloved of him, as it is written: "and his attendant, Joshua the son of Nun, a youth, did not depart from the tent," wherefore He said to him: Joshua, the words of Torah are beloved of you — "The book of this Torah shall not depart from your mouth" (*Menachoth* 99b).<sup>16</sup>

**did not depart** - R. Yehudah said in the name of Rav: Before Moses our teacher died, he said to Joshua: Ask of me all the [*halachic*] questions concerning which you are in doubt. Joshua answered: My teacher, did I ever leave you for one moment and go elsewhere? Did you yourself not write of me: "and his attendant, Joshua the son of Nun, a youth, did not depart from the tent"! (*Temurah* 16a).<sup>17</sup>

33:13 And now, if I have found favor in Your eyes, make known to me, I pray You, Your ways; and let me know You, so that I find favor in Your eyes, and see that this nation is Your people.

**make known to me, I pray You, Your ways** - Moses said before the Holy One Blessed be He: L-rd of the Universe, why are there some righteous men who prosper and others who suffer, some wicked men who prosper and others who suffer? He answered: The righteous who prosper are completely righteous; the righteous who suffer are not completely righteous. The wicked who prosper are not completely wicked; the wicked who suffer are completely wicked (*Berachoth 7a*).<sup>18</sup>

33:14 And He said: My Presence shall go, and I shall give you rest.

**My Presence shall go** - R. Yochanan said in the name of R. Yossi: Whence is it derived that one is not to be conciliated in the midst of his anger? From: "My Presence shall go, and I shall give you rest." The Holy One Blessed be He hereby said to Moses: Wait until My Presence [lit., "face"] of anger passes, and I shall grant you relief (*Ibid.*).<sup>19</sup>

33:16 And with what will it be known, then, that I have found favor in Your eyes, I and Your people? Is it not by Your going with us and by distinguishing me and Your people from all other peoples on the face of the earth?

**And with what will it be known, then [eifoh]** - R. Levi b. Lachma said: Job lived in the days of Moses, it being written in respect to Job (*Job* 19:23): "Who would grant, *eifoh*, that my words be written," and, in respect to Moses: "And with what will it be known, *eifoh*" [the usage being so rare as to mark them as contemporaries] (*Bava Bathra* 15a).<sup>20</sup>

**Is it not by Your going with us** - R. Yochanan said in the name of R. Yossi: Moses implored the Holy One Blessed be He that He repose His Shechinah upon Israel, and it was granted him, as it is written: "Is it not by Your going with us?" (*Berachoth 7a*).<sup>21</sup>

and by distinguishing me and Your people - R. Yochanan said in the name of R. Yossi: Moses implored the Holy One Blessed be He that He repose His Shechinah *only* upon Israel, and it was granted him, as it is written: “and by distinguishing me and Your people” (*Ibid.*).<sup>22</sup>

33:19 And He said: I shall cause all of My goodness to pass before your face, and I shall call in the name of the L-rd before you, and I will be gracious unto whom I will be gracious, and I will be merciful unto whom I will be merciful.

and I will be gracious ... and I will be merciful - It was taught: R. Meir says: “and I will be gracious unto whom I will be gracious, and I will be merciful unto whom I will be merciful”: “and I will be gracious” — though he not deserve it; “and I will be merciful” — though he not deserve it (*Ibid.*).<sup>23</sup>

33:20 And He said: You shall not be able to see My face, for a man cannot see Me and live.

You shall not be able - It was taught in the name of R. Yehoshua b. Karcha: The Holy One Blessed be He spoke thus to Moses: When *I* desired [to reveal Myself to you (in the burning bush)], *you* did not desire it; now that *you* desire it, *I* do not desire it (*Ibid.*).<sup>24</sup>

for a man cannot see Me - R. Chiyya b. Abba said in the name of R. Yochanan: If there had remained in the cave where Moses and Elijah stood, even a needle's eye [of an aperture], they could not have borne the light [of G-d's Presence], as it is written: “for a man cannot see Me and live” (*Megillah* 19b).<sup>25</sup>

for a man cannot see Me - One verse states: “for a man cannot see Me and live,” and another (*Isaiah* 6:1): “and I saw the the L-rd sitting on a high and lofty throne!” There is no contradiction, as it was taught: All of the prophets observed through a beclouded speculum, and Moses our teacher observed through a lucid speculum (*Yevamoth* 49b).<sup>26</sup>

for a man cannot see Me - It was taught: Shimon b. Azzai says: I found

a secreted scroll in Jerusalem in which it was written: "Menasheh killed Isaiah." Rava said: He judged him and killed him, saying: Moses, your master, said: "for a man cannot see Me and live," and you say: "and I saw the L-rd sitting on a high and lofty throne"! (*Ibid.*).<sup>27</sup>

33:21 And the L-rd said: Behold, a place with Me, and you shall stand upon the rock.

**Behold, a place with Me** - It was taught: The Holy One Blessed be He said to Moses: The world to come has been readied for you from the six days of creation, as it is written: "And the L-rd said: Behold a place with Me, and you shall stand, etc." (*Avoth d'R. Nathan* 12).<sup>28</sup>

33:23 And I shall remove My hand, and you shall see My back, but My face shall not be seen.

**and you shall see My back** - R. Channa b. Bizna said: "and you shall see My back" — This teaches us the Holy One Blessed be He showed Moses the knot of His [head] phylacteries (*Berachoth* 7a).<sup>29</sup>

34:1 And the L-rd said to Moses: Hew for yourself two tablets of stone, like the first, and I shall write upon the tablets the words which were upon the first tablets, which you broke.

**Hew for yourself** - R. Chamma b. Chanina said: Moses grew rich through nothing else than the hewings of the tablets, as it is written: "Hew for *yourself*" — the hewings shall be yours (*Nedarim* 38a).<sup>1</sup>

**which you broke** - The Holy One Blessed be He said to Moses: "which [*asher*] you broke" — May your strength increase [*yishar* (like *asher*) *kochacha*] for breaking them. This teaches us that the Holy One Blessed be He acquiesced in the breaking of the tablets (*Shabbath* 87a).<sup>2</sup>

**which you broke** - Resh Lakish said: Sometimes abstention from Torah is its implementation, as it is written: "which you broke" — May your strength increase for breaking them (*Menachoth* 99b).<sup>3</sup>

- 34:6 And the L-rd passed before his face and called out: "The L-rd, the L-rd, a G-d who is merciful and gracious, withholding His wraths and abundant in lovingkindness and truth."

And the L-rd passed - R. Ycohanan said: If it were not written, it could not be said. This teaches us that the Holy One Blessed be He wrapped Himself up [in a *talith*] as a congregational reader, showed Moses the order of prayer, and said to him: Whenever Israel sins, let them follow this order and I shall forgive them (*Rosh Hashanah* 17b).<sup>4</sup>

and called out: "The L-rd, the L-rd" - [What is the intent of: "The L-rd, the L-rd"?] — I am "the L-rd" before a man sins, and I am "the L-rd" after a man sins and repents [i.e., I do not change with My acceptance of repentance] (*Ibid.*).<sup>5</sup>

"The L-rd, the L-rd, a G-d who is merciful and gracious" - From here it is derived that the name "the L-rd" [*Hashem*] signifies the attribute of mercy (*Sifrei*, beginning of *Vaethchanan*).<sup>6</sup>

withholding His wraths - Should it not be written: "withholding His *wrath*"? The meaning is that He withholds His wrath both for the righteous and for the wicked (*Eruvin* 22a).<sup>7</sup>

and abundant in lovingkindness and truth - He tips [the scales] to lovingkindness (*Rosh Hashanah* 17b).<sup>8</sup>

and abundant in lovingkindness and truth - Ilfa asked: It is written: "abundant in lovingkindness" *and* "truth" [an apparent contradiction]! [There is no contradiction]. In the beginning [of judgment, He employs the criterion of] truth; in the end, [that of] abundant lovingkindness (*Ibid.*).<sup>9</sup>

- 34:7 Keeping lovingkindness to thousands [of generations], forgiving transgression, offense, and sin, and cleansing, not cleansing, visiting the transgression of the fathers upon the children and upon the children's children to the third and fourth generation.

**forgiving [nosai] transgression** - R. Avahu said: There is no forgetting on the part of the Holy One Blessed be He; but for the sake of Israel, He makes Himself, as it were, "forgetful." Whence is this derived? From: "*nosai* transgression." It is not *written* "*nosai* [plene] transgression," but [as if it were pronounced] "*nasho*" ["forgetting"] (*Yerushalmi Sanhedrin* 10:1).<sup>10</sup>

**forgiving transgression** - R. Yossi b. R. Chanina said: It is not written here: "forgetting *transgressions*," but: "forgetting *transgression*." This teaches us that the Holy One Blessed be He snatches away one "bill of transgression," and the merits outweigh [those that are left] (*Ibid.*).<sup>11</sup>

**transgression, offense, and sin** - It was taught: "Transgressions" are deliberate sins; "offenses," rebellious ones; and "sins," unwitting ones. How, then, can we understand Moses' saying: "forgiving transgression, offense, and sin"? [i.e., Should not "sin," the least severe, come first?] Moses was hereby beseeching the Holy One Blessed be He: L-rd of the Universe, when [the children of] Israel sin before You and repent, regard their deliberate sins as unwitting ones (*Yoma* 36b).<sup>12-14</sup>

**and cleansing** - R. Elazar says: It cannot be said: "cleansing," for it already says: "not cleansing"; How is this to be resolved? He cleanses those who repent, but does not cleanse those who do not repent (*Ibid.* 86a).<sup>15</sup>

34:8 And Moses hastened and he bowed down to the earth and he prostrated himself.

**And Moses hastened and he bowed down** - What did Moses see [which caused him to react in this way]? R. Chanina b. R. Gamliel says: He saw: "abundant in lovingkindness" (*Sanhedrin* 111a).<sup>16</sup>

34:10 And He said: Behold, I am making a covenant. Before all your people I shall work wonders, which were not created in all the earth and among all the nations. And all the people in whose midst you are shall see the work of the L—rd that it is awesome, that which I do with you.

**Behold, I am making a covenant** - R. Yehudah said: There is a covenant

"binding" the *Thirteen Middoth* [the aforementioned formula of the L—rd's attributes] as never being invoked in vain, as it is written: "Behold, I am making a covenant" (*Rosh Hashanah* 17b).<sup>17</sup>

34:14 For you shall not bow down to another god, for "a jealous L—rd" is His name; He is a jealous G-d.

For you shall not bow down - This is an exhortation against idol worship (*Sanhedrin* 60b).<sup>18</sup>

34:15 Lest you make a covenant with the inhabitants of the land, and they turn astray to their gods and slaughter to their gods, and call you, and you eat from their sacrifice.

and call you, and you eat - [It is not written: "and *slaughter*, and you eat," but: "and *call* you, and you eat"] From the time of "calling," [i.e., accepting the invitation], I regard it as if you had eaten of the sacrifice (*Avodah Zarah* 8a).<sup>19</sup>

34:18 The festival of matzoth shall you keep. Seven days shall you eat matzoth, as I commanded you, in the appointed time in the month of Aviv; for in the month of Aviv did you go out of Egypt.

The festival of matzoth shall you keep - R. Shesheth said in the name of R. Elazar b. Azaryah: Cheapening the [intermediate days of the] festivals is tantamount to idol worship, as it is written (17): "Do not make unto yourselves molten gods," followed by: "The festival of matzoth shall you keep" (*Pesachim* 118a).<sup>20</sup>

The festival of matzoth shall you keep - If one is empowered to intercalate the year [i.e., to declare a leap year, so that Pesach fall out in the month of Aviv] and does not do so, it is as if he were to serve idols, it being written: "Do not make unto yourselves molten gods," followed by: "The festival of matzoth shall you keep" (*Yerushalmi Chagigah* 83:1)<sup>21</sup>

shall you keep seven days - The Rabbis taught: "The festival of matzoth

shall you keep seven days.” This teaches us that work is forbidden on the intermediate days of the festival (*Chagigah* 18a).<sup>22</sup>

**34:19** All that opens the womb is Mine, and all your cattle that produce a male, the firstling of an ox or a sheep.

**all your cattle** - It is required that it be “all *your* cattle” — to exclude partnership with a gentile, which exempts one from the *mitzvah* of the first-born (*Bechoroth* 3a).<sup>23</sup>

**the firstling of an ox or a sheep** - [Why not include the firstling of a horse or a camel?] R. Pappa said: It is written: “all your cattle that produce a male, the firstling of an ox or a sheep.” “all your cattle” — this is general; “ox, sheep, and ass” — this is specific. The structure is “general-specific,” in which instance the general is understood to subsume only the specific, i.e., only “ox, sheep, and ass,” and nothing else (*Ibid.* 6a).<sup>24,25</sup>

**34:20** And the firstling of an ass shall you redeem with a lamb.  
And if you do not redeem it, then you shall break its neck.  
All the first-born of your sons shall you redeem, and they shall not appear before Me empty-handed.

**All the first-born of your sons** - The Rabbis taught: Whence is it derived that if one had five sons from five [different] wives, he must redeem all of them? From: “*All* the first-born of your sons shall you redeem” (*Kiddushin* 29a).<sup>26</sup>

**All the first-born of your sons shall you redeem** - The Rabbis taught: If one had [enough money] to redeem his son or to go up [to Jerusalem] for the festival [but not enough for both], he first redeems his son, and then [if more money later materializes] goes up for the festival, it being written [first]: “All the first-born of your sons shall you redeem,” and *then*: “and they shall not appear before Me empty-handed” (*Ibid.* b).<sup>27</sup>

**All the first-born of your sons shall you redeem** - The Rabbis taught: If the [first-born] son died after thirty days, even if the father had not yet given [his redemption money], he must give it; for it is written: “All the

first-born of your sons shall you redeem, and they shall not appear before Me empty-handed" — Just as there, those who inherit are liable [for the festival burnt-offering of the deceased], here, too, those who inherit are liable. [In this instance, the father is liable for the redemption money of his son, whom he has "inherited"] (*Bechoroth* 51b).<sup>28</sup>

**All the first-born of your sons shall you redeem** - even if he dies [after thirty days] (*Yerushalmi Chagigah* 1:1).<sup>29</sup>

**the first-born of your sons** - "your sons," and not your daughters (*Kiddushin* 29a).<sup>30</sup>

**shall you redeem [tifdeh]** - A woman is not commanded to redeem her son, it being written: "*tifdeh*," [which can be pronounced] "*tipadeh*" ["you shall be redeemed"] — All who are commanded to redeem themselves are commanded to redeem others [i.e., their first-born sons]; all who are not commanded to redeem themselves are not commanded to redeem others (*Ibid.*).<sup>31</sup>

**34:21 Six days shall you work, and on the seventh day shall you rest. In plowing and in harvesting shall you rest.**

**In plowing and in harvesting shall you rest** - It was taught: R. Yishmael says: "In plowing and in harvesting shall you rest": Just as plowing is permissible [but not a *mitzvah*], so the harvesting referred to is permissible — to exclude the harvesting of the *omer*, which is a *mitzvah* [and may thus be done on the Sabbath] (*Rosh Hashanah* 9a).<sup>32</sup>

**34:22 And the festival of Shavuoth shall you make for yourself, the first-fruits of the wheat harvest, and the festival of ingathering, the solstice of the year.**

**the solstice of the year** - R. Yehudah said in the name of Shmuel: The year is not intercalated [i.e., it is not declared a leap year] unless the solstice is lacking the major part of a month. Which is "the major part"? Sixteen days. These are the words of R. Yehudah. What is his source? "And the festival of ingathering, the solstice of the year." The entire festival must fall out in a new solstice (*Sanhedrin* 13a).<sup>33</sup>

**34:24** For I shall drive out the nations from before you, and I shall expand your borders; and no man shall desire your land when you go up to appear before the L-rd your G-d three times a year.

and no man shall desire, etc. - It was taught: Issi b. Yehudah says: "and no man shall desire your land": This teaches us that your cow will graze in the meadow and no animal injure it; your hen pick in the refuse and no weasel injure it. From here it is derived that "no harm befalls emissaries of a *mitzvah*" (*Pesachim* 8b).<sup>34</sup>

your land - R. Ammi said: One who owns land goes up for the festival; one who does not own land does not go up for the festival [it being written: "and no man shall desire your land"] (*Ibid.*).<sup>35</sup>

**34:25** Do not slaughter in the presence of *chametz* the blood of My sacrifice, and there shall not tarry until the morning the sacrifice of the Pesach festival.

Do not slaughter in the presence of *chametz* - [One who slaughters the Paschal offering in the presence of leaven transgresses a negative commandment, viz.] "Do not slaughter in the presence of *chametz* the blood of My sacrifice" — Do not slaughter the Pesach offering when *chametz* is still to be found (*Ibid.* 5a).<sup>36</sup>

in the presence of *chametz* - It is not written: "in the presence of *your chametz*," but: "in the presence of *chametz*." This teaches us that even if the slaughterer possesses no *chametz*, but one of the company [i.e., those sharing the Paschal offering] does, he is liable. R. Oshiya thereupon said to R. Ammi: If so, the same should apply if *chametz* were possessed by someone at the end of the world! He answered: It is written: "Do not slaughter ... and there shall not tarry." [The injunction against slaughtering applies only to] those who are subsumed in: "there shall not tarry" [i.e., the members of that company] (*Ibid.* 63b).<sup>37</sup>

and there shall not tarry until the morning - R. Safra asked Rava: It is written: "and there shall not tarry until the morning," the implication being that it may tarry all the night; but it is written elsewhere (*Numbers*

28:10): “the burnt-offering of the Sabbath on the Sabbath,” from which we infer: “and not a weekday burnt-offering on the Sabbath, nor a weekday burnt-offering on a festival.” [How, then, may this fourteenth of Nissan (“weekday”) sacrifice be offered up at night (which is already the fifteenth, the festival)?] He answered: We are speaking here of an instance in which the fourteenth falls out on the Sabbath, it being permitted to offer up the fats of a Sabbath sacrifice on a festival (*Ibid.* 59b).<sup>38</sup>

34:26 The first of the first-fruits of your earth shall you bring to the house of the L-rd your G-d. You shall not cook a kid in its mother's milk.

The first, etc. - See commentary on 23:19

34:27 And the L-rd said to Moses: Write for yourself these words, for with these words have I made with you a covenant and with Israel.

**Write for yourself** - R. Yehudah b. Nachmani expounded: It is written: “*Write* for yourself,” and: “for *with* [lit., “by the mouth of”] these words” [implying the spoken, and not the written word]. How is this to be reconciled? What is written may not be spoken [i.e., may not be transmitted orally, but in writing], and what is spoken [i.e., what has been received orally] may not be written down (*Gittin* 60a).<sup>39,40</sup>

**Write for yourself** - R. Yossi b. R. Chanina said: The Torah was given only to Moses and to his seed, as it is written: “Write for yourself,” and (1): “Hew for *yourself*” [the tablets] — Just as the hewings are yours, so the writing is yours; and Moses, being magnanimous, gave it to Israel (*Nedarim* 38a).<sup>41</sup>

**these words** - It was taught in the school of R. Yishmael: [Whence is it derived that words (of Torah) that were delivered orally may not be committed to writing? From:] “Write for yourself these words, for with these words have I made with you a covenant” — it is “*these* words” that you write, but you do not write *halachoth* [communicated orally to Moses on Sinai] (*Gittin* 60b).<sup>42</sup>

**for with these words** - R. Yochanan said: The greater part of Torah is oral; the lesser, written, as it is stated: "for with [lit., "by the *mouth* of"] these words have I made with you a covenant [the covenant obviously being made with the greater part] (*Ibid.* a).<sup>43</sup>

**have I made with you a covenant** - R. Yochanan said: The Holy One Blessed be He made a covenant with Israel through the Oral Law alone, as it is written: "For by the *mouth* of these words have I made with you a covenant" (*Ibid.* b).<sup>44</sup>

**have I made with you a covenant** - It was taught: Rebbi says: Great is circumcision, which is equated with all of the *mitzvot* of the Torah, it being written: "for with these words [i.e., all the *mitzvot* of the Torah] have I made with you a covenant" [and circumcision, too, is referred to as a "covenant"] (*Nedarim* 32a).<sup>45</sup>

**have I made with you a covenant** - R. Chaggi said in the name of R. Shmuel b. Nachman: Words [of Torah] were stated orally, and words were stated in writing, and we would not know which were more beloved. "for by the *mouth* of these words have I made with you a covenant" indicates that those stated orally are more beloved (*Yerushalmi Peah* 2:4).<sup>46</sup>

34:28 And he was there with the L-rd forty days and forty nights; bread he did not eat and water he did not drink.  
And he wrote upon the tablets the words of the covenant,  
the ten commandments.

**bread he did not eat** - R. Tanchum b. Chanilai said: Let one never depart from the common practice; for Moses ascended to heaven and did not eat bread, and the ministering angels [who visited Abraham] descended to earth and did eat bread (*Bava Metzia* 86b).<sup>47</sup>

34:29 And it was, when Moses descended from Mount Sinai —  
and the two tablets of the Testimony were in Moses' hand  
when he descended from the mountain — Moses did not  
know that the skin of his face shone when they spoke to  
him.

Moses did not know - R. Chamma said: One who confers a gift upon his neighbor need not inform him [that he has done so], as it is written: "Moses did not know that the skin of his face shone." And this obtains only when the matter is bound to come to light (*Shabbath* 10b).<sup>48</sup>

## Vayakhel

35:1 And Moses assembled the entire congregation of the children of Israel, and he said to them: These are the things which the L-rd commanded to do.

and he said to them, etc. - Why mention this [i.e., the subject of the Sabbath, which has already been dealt with]? Because it is written (25:8): "and let them build Me a sanctuary," I might think [that they may do so] both during the week and on the Sabbath; it is, therefore, written: "and he said to them ... Six days may you perform labor" — during the week, and not on the Sabbath (*Mechilta*).<sup>1</sup>

These [*Eileh*] - It was taught: "The Rabbis of Caesarea say: The Torah contains a mnemonic for the thirty-nine forbidden labors of the Sabbath, viz.: "*Eileh*" [composed of the letters *aleph*, *lamed*, *heh*]. The numerical equivalent of *aleph* is one; *lamed*, thirty; *cheth*, eight (the rabbis not hesitating to expound *heh* as *cheth*), giving a total of thirty-nine (*Yerushalmi Shabbath* 7:9).<sup>2</sup>

These are the things - It was taught: Rabbi says: "things" [two (the minimum of "things")]; "*the* things" [one]; "*these* [*Eileh*] are the things" [thirty-six (the numerical equivalent of *eileh*)] — these are the thirty-nine [forbidden] labors stated to Moses at Sinai (*Shabbath* 97b).<sup>3</sup>

35:2 Six days shall you perform labor, and on the seventh day it shall be holy for you, a Sabbath of resting for the L-rd; all who perform labor on it will be put to death.

holy for you - "Holy [i.e., interdicted] for *you*" [i.e., for *your* needs], but not holy for the Holy One Blessed be He [i.e., *His* sacrifices are offered up even on the Sabbath] (*Mechilta*).<sup>4</sup>

35:3 You shall not light a fire in all of your dwellings on the day of the Sabbath.

**You shall not light a fire** - It was taught: Lighting a fire was included in all of the forbidden labors of Sabbath. Why, then, was it singled out for special mention? For purposes of comparison, viz.: Just as lighting a fire is a proto-labor and subject to liability [for a sin-offering in the instance of unwitting transgression] in and of itself, so all proto-labors are subject to liability in and of themselves — whence is derived as a Scriptural principle the discreteness of forbidden labors on the Sabbath (*Sabbath* 70a).<sup>5</sup>

**in all of your dwellings** - “In all of your dwellings,” you do not light, but you do light the limbs and the fats [on the altar] (*Ibid.*).<sup>6</sup>

**in all of your dwellings** - And elsewhere it is written (*Numbers* 35:29): “And these things shall be for you for a statute of judgment to you throughout your generations in all of your dwellings.” Just as “dwellings” there refers to *beth-din*, “dwellings,” here, too [can] refer to *beth-din*. From here it is derived that judicial death penalties [one of which is “burning”] do not override the Sabbath (*Yevamoth* 6b).<sup>7</sup>

**on the day of the Sabbath** - “On the day of the *Sabbath*” you may not light, but you may light on a festival (*Yerushalmi Beitzah* 5:2).<sup>8</sup>

**on the day of the Sabbath** - “On the *day* of the Sabbath” you may not light, but you may light on the eve of the Sabbath for the Sabbath (*Mechilta*).<sup>9</sup>

35:19 The garments of officiation to minister in the holy place, the holy garments of Aaron, the priest, and the garments of his sons for the priestly service.

**The garments of officiation** [lit., the garments of “leaving over”] - R. Chamma b. Chanina said: “The garments of ‘leaving over’ to minister in the holy place” — If not for the priestly garments not a vestige would be left of the Jews (*Yoma* 72b).<sup>10</sup>

**The garments of officiation** [lit., the garments of “leaving over”] - R. Shmuel b. Nachmani said: Garments which they cut off the looms in

their needed shape [so as to require no tailoring], leaving over a small portion of the unwoven threads. And what was it [i.e., the left-over portion]? That which was completed by needle-work (*Ibid.*).<sup>11</sup>

35:22 And the men came with the women; all the willing of heart, brought bracelets, and earrings, and rings, and ornaments, all jewels of gold, and every man that had offered an offering of gold to the L-rd.

**all the willing of heart** - It was taught: R. Yitzchak says: The absolution of vows is hereby intimated in the Torah [i.e., Only if his heart is willing does he bring; if not, he is absolved of his vow] (*Chagigah* 10a).<sup>12</sup>

**all the willing of heart** - It was taught (*Deuteronomy* 23:24): "What issues from your lips shall you heed and you shall do": This tells us only of what issues from his lips. Whence is derived [the same *halachah* for] what he resolves in his heart? From: "all the willing of heart" (*Shevuoth* 27b).<sup>13</sup>

**all the willing of heart** - R. Yehudah b. Pazzi said in the name of Rebbi: Can one read this and not be confounded! For good [i.e., towards the building of the sanctuary] it is written: "all the willing of heart," and for evil [i.e., towards the forging of the golden calf] it is written (32:3): "And *all* the people stripped themselves, etc." (*Yerushalmi Shekalim* 1:1).<sup>14</sup>

35:25 And every woman wise of heart with her hands spun. And they brought their spinning: the blue, the purple, the scarlet, and the fine linen.

**wise of heart with her hands spun** - From here it is derived that a woman's wisdom is with the distaff alone (*Yoma* 66b).<sup>15</sup>

**with her hands spun** - This teaches us that spinning is a labor exclusive to women (*Rambam, Ishuth* 21:1).<sup>16</sup>

35:26 And all the women whose hearts lifted them in wisdom spun the kids.

**spun the kids** - It was taught in the name of R. Nechemiah: Washed from the kids and spun from the kids [i.e., while the hair was still attached to the hide]. And even so [i.e., Even though such a labor is possible] — as far as [labor on] Sabbath is concerned, there is no liability. Why so? This is not the conventional manner of spinning, and exceptional art is different [from what is designated as a Sabbath labor] (*Shabbath* 74b).<sup>17,18</sup>

**spun the kids** - The Rabbis taught: The lower spreads were of blue, of purple, of scarlet, and of fine linen; and the upper ones were of kid-skin. And what is said of the upper spreads is greater than what is said of the lower. For of the lower it is written: "And every woman wise of heart with her hands spun," whereas of the upper it is written: "In wisdom they spun the kids" [the spinning itself being an act of wisdom (see above commentary)] (*Ibid.* 99a).<sup>19</sup>

35:27 And the leaders brought shoham stones and stones for setting for the ephod and for the breastplate.

**And the leaders [nesi'im] brought** - It was taught: "*Nesi'im*," literally, [i.e., clouds], as it is written (*Proverbs* 25:14): "*Nesi'im* [clouds] and wind" (*Yoma* 75a).<sup>20</sup>

**And the leaders brought** - It was taught: R. Nathan said: When Moses was occupied with the building of the sanctuary, he did not wish to seek counsel of the leaders [of the tribes] of Israel. These, saying: "Woe to us, who have no share in the building of the sanctuary," arose and made their own contribution, as it is written: "And the leaders brought shoham stones" (*Avoth d'R. Nathan* 11).<sup>21</sup>

35:30 And Moses said to the children of Israel: See, the L-rd has called in the name of Bezalel the son of Uri the son of Chur of the tribe of Judah.

**See, the L-rd has called in the name** - R. Yitzchak said: A leader is not appointed over the people without their first being consulted, as it is written: "See, the L-rd has called in the name of Bezalel." The Holy One Blessed be He said to Moses: Moses, is Bezalel acceptable to you?

Moses answered: L-rd of the Universe, if he is acceptable to *You* , how much more so is he acceptable to *me*! Whereupon He responded: Even so, go and tell the Jews (*Berachoth* 55a).<sup>22</sup>

35:33 And in the cutting of stones to set them, and in the carving of wood, to engage in all work of design.

**work of design** - It was taught: If one intended to throw [an object] two ells, and threw it four [the distance of consequence for such an act on the Sabbath], he is not liable for transgression of the Sabbath. Why so? For Scripture forbids only “work of *design*” [and he did not design to throw it that distance] (*Bava Kamma* 27b).<sup>23</sup>

36:3 And they took from Moses the entire offering which the children of Israel had brought for the work of the service of the sanctuary, to make it. And they brought to him an additional offering every morning.

**every morning** - What is the intent of: “every morning”? [i.e., Is it only in the morning that they brought it?] R. Yonathan said: [They brought of] what descended for them every morning. This teaches us that along with the manna there descended for the Jews precious stones and pearls (*Yoma* 75a).<sup>1</sup>

36:4 And there came all the wise ones engaged in the work of the sanctuary, each man from his work, which they did.

**each man from his work** - Luda taught: It is “*his* work” that he did, and not that of his neighbor (*Shabbath* 96b).<sup>2</sup>

36:6 And Moses commanded and they passed a call through the camp, saying: “Let no man or woman work further for the offerings of the sanctuary.” And the people stopped bringing.

**And Moses commanded, etc.** - It was taught: Whence is the prohibition

against carrying on the Sabbath derived in Scripture? R. Yochanan said: From: "And Moses commanded and they passed a call through the camp, etc." Where was Moses presiding? In the camp of the Levites. And the camp of the Levites was a public domain, so that Moses was, in effect, telling the Jews: Do not carry [offerings] from your private domains to the public domain. But how do we know that this took place on the Sabbath? Perhaps it was a weekday, and because they had completed the labor [Moses told them to bring no more]! It is derived: "passing" [here] - "passing," in respect to Yom Kippur. It is written here: "and they passed a call through the camp," and, there (*Leviticus* 25:9): "And you shall pass the sound of a shofar." Just as there a day of prohibitions [Yom Kippur, is being spoken of], here, too, a day of prohibitions [i.e., the Sabbath] (*Ibid.*).<sup>3,4</sup>

37:24 A talent of pure gold did he make it and all of its vessels.

**a talent of pure gold** - R. Yehudah taught: When Solomon made the *menorah*, he took a thousand talents of gold, placed them in the crucible, and took them out when they had been forged into one, in fulfillment of: "A talent of pure gold did he make it" (*Yerushalmi Shekalim* 6:3).<sup>1</sup>

38:8 And he made the laver of brass, and its pedestal of brass, with the mirrors of the assembled women, who assembled at the door of the tent of meeting.

**with the mirrors of the assembled women** - From here it is derived that even though we do not use as coverings for Torah scrolls things made for mundane purposes, still, if their appearance is changed and they are transformed into a different article, it is permitted; for the laver was made from the mirrors of the assembled women (*Magen Avraham* 147:5).<sup>1</sup>

## **Pekudei**

38:21 These are the accounts of the tabernacle, the tabernacle of the Testimony, which were made by the command of Moses, the work of the Levites, by the hand of Ithamar the son of Aaron the priest.

**These are the accounts, etc.** - From here it is derived that although reliable overseers of charity are not closely supervised, still, it is good that they give an accounting; as we find with Moses our teacher, who gave an account of the contributions to the tabernacle, as it is written: "These are the accounts of the tabernacle, etc." (*Bach, Yoreh Deah* 257).<sup>2</sup>

38:22 And Bezalel the son of Uri the son of Chur of the tribe of Judah did all that the L-rd commanded Moses.

**all that the L-rd commanded** - It was taught: A man must pronounce eighteen benedictions every day. Why eighteen? R. Shmuel b. Nachmani said in the name of R. Yonathan: In correspondence with the eighteen "commandments" [i.e., "as the L-rd commanded"] in the second section of the tabernacle (R. Chiyya said: Excluding (23): "And with him, Ahaliav" [i.e., the above-cited verse]) until the end of the book (*Yerushalmi Berachoth* 84:3).<sup>3</sup>

**Moses** - It is not written: "as Moses commanded him," but: "as the L—rd commanded Moses," to teach that even with respect to those things that he did not hear from his teacher, his thinking coincided with what was stated to Moses on Sinai (*Yerushalmi Peah* 1:1).<sup>4</sup>

38:26 A *beka* for every man, half a shekel in the shekel of the sanctuary, for everyone who passed to be counted, from

twenty years and upwards, for six hundred and three thousand, five hundred and fifty men.

**A beka for every man** - Kontrokos, the general, asked R. Yochanan b. Zakkai: In the collecting of the money, you find 201 *kikar* and eleven *maneh*, as it is written: "A *beka* for every man, half a shekel in the shekel of the sanctuary," yet in its disbursement, you find only one hundred *kikar* (27)! He answered: Moses our teacher was a faithful treasurer and expert in accounting — the *maneh* of the sanctuary was double [the conventional *maneh*] (*Bechoroth* 5a).<sup>5</sup>

39:22 And he made the robe of the *ephod* of woven work, entirely of blue.

**entirely of blue** - The Rabbis taught: The robe was all blue wool, as it is written: "And he made the robe of the *ephod* of woven work, entirely of blue" (*Zevachim* 88b).<sup>1</sup>

39:24 And they made upon the hems of the robe, pomegranates of blue and purple and scarlet, twisted.

**twisted** - The Rabbis taught: Wherever "twisted" is mentioned, eight-fold strands are intended, as it is written: "And they made upon the hems of the robe, pomegranates of blue and purple and scarlet, twisted." And we derive: "twisted"—"twisted," in respect to the *parocheth* [the veil of the sanctuary]. Just as there, twenty-four [strands are indicated]; here, too, twenty-four, each variety, eight-fold (*Yoma* 71b).<sup>2</sup>

39:27 And they made the coats of fine linen, woven work, for Aaron and for his sons.

**the coats of fine linen** - The Rabbis taught: Those things designated as being of fine linen have six-fold strands, it being written: "And they made the coats of fine linen ... and the mitre of fine linen ... and the stately turbans of fine linen, and the linen breeches of fine linen [and the belt of fine linen"]. There are five [*shesh* - "fine linen"] citations here:

one for [the fact] itself [i.e.,] that it be linen; one, that the strands be six-fold [*"shesh"* also meaning "six"]; one, that they be twisted; one, for the other garments, where *shesh* is not mentioned [i.e., that they, too, must have six-fold strands]; and one, to make the requirement categorical (*Ibid.*).<sup>3,4</sup>

**40:3** And you shall place there the ark of the Testimony, and you shall hang beside the ark, the veil.

**and you shall hang beside [al] the ark** - From here Rebbi derived: Wherever "*al*" is written, "nearby" is understood, and not "on," literally, (for the veil was not *on* the ark, but between the Holy and the Holy of Holies)] (*Menachoth* 94a).<sup>1</sup>

**40:7** And you shall place the laver between the tent of meeting and the altar, and you shall put water therein.

**between the tent of meeting** - It was taught: R. Yossi Haglili says: [One verse states: "And you shall place the laver between the tent of meeting and the altar," and, another (6): "And you shall place the altar of the burnt-offering *before* the tent of the sanctuary of the tent of meeting" (implying that nothing intervened between the altar and the tent of meeting)! How is this to be reconciled?] The laver was placed between the *ulam* [the hall leading to the interior of the sanctuary] and the altar, somewhat removed [from the corner of the altar] towards the south [so that the altar was as close as possible (given this condition) to the tent of meeting] (*Zevachim* 59a).<sup>2</sup>

**40:10** And you shall anoint the altar of the burnt-offering and all of its vessels, and you shall consecrate the altar, and the altar shall be holy of holies.

**and all of its vessels** - From here it is derived that just as the altar consecrates [what is placed upon it] only with intent [that it be consecrated], so the vessels consecrate only with intent (*Yerushalmi Succah* 4:7).<sup>3</sup>

and you shall consecrate *eth* [lit., “with”] the altar - to include that which touches the altar ramp as becoming consecrated, as if it had touched the altar (*Zevachim* 87a).<sup>4</sup>

40:17 And it was, on the first month of the second year, on the first day of the month, that the tabernacle was raised.

**And it was, on the first month** - It was taught: When are contributions made to the Temple treasury? From the first day of Nissan, as it is written: “And it was, on the first of the month of the second year, on the first day of the month, that the tabernacle was raised”; and it was taught: On the very day that the tabernacle was raised, the contributions were made (*Yerushalmi Shekalim* 1:1).<sup>5</sup>

40:18 And Moses raised the tabernacle, and he fastened its sockets and set up its boards, and he put in its bars and raised its pillars.

**And Moses raised** - It was taught: Rabbi says: “And Moses raised the tabernacle, and he fastened its sockets and set up its boards, and put in its bars and raised its pillars”: From here [i.e., the fact that the series begins and ends with “raised”] it is derived that one is to ascend in holiness, but not descend (*Menachoth* 99b).<sup>6</sup>

40:19 And he spread the tent upon the tabernacle, and he placed the cover of the tent upon it from above, as the L-rd had commanded Moses.

**And he spread the tent** - [From here it is derived that a tent of flax is called a “tent”] (*Shabbath* 28a).<sup>7</sup>

**And he spread the tent** - Rav said: Moses our teacher was ten *amoth* [lit., “fore-arms”] tall; for it is written: “And he spread the tent upon the tabernacle,” and (26:16): “ten *amoth* the length of the board.” R. Shimmi b. Chiyya countered: If so, you are ascribing a defect to Moses our teacher, for it was taught: If his body were longer than [three of] his fore-arms, this is considered a defect [with all the halachic implications

thereof]! He answered: [“ten *amoth*”] according to the *amah* of a board [which is smaller than the fore-arm “*amah*”] (*Bechoroth* 44a).<sup>8</sup>

40:31 And there shall wash from it Moses and Aaron and his sons, their hands and their feet.

**Moses and Aaron and his sons** - R. Yossi b. R. Chanina said: Any laver which does not suffice for the washing of four priests cannot be used, it being written: “And there shall wash from it Moses and Aaron and his sons” (*Zevachim* 19b).<sup>9</sup>

40:32 When they came to the tent of meeting and when they drew near to the altar, they washed, as the L-rd had commanded Moses.

**and when they drew near to the altar** - There is no washing of hands and feet for [the sacrificial service on] a *bamah* [a temporary altar], it being written: “and when they drew near to *the* [sanctuary] altar, they washed” (*Ibid.* 119b).<sup>10</sup>

40:35 And Moses could not come to the tent of meeting, for the cloud rested upon it, and the glory of the L-rd filled the sanctuary.

**And Moses could not** - R. Elazar asked: It is written: “And Moses could not come to the tent of meeting, for the cloud rested upon it,” and (24:18): “And Moses came into the midst of the cloud”! [How is this to be reconciled?] We are hereby taught that the Holy One Blessed be He seized Moses and brought him into the cloud (*Yoma* 4b).<sup>11</sup>